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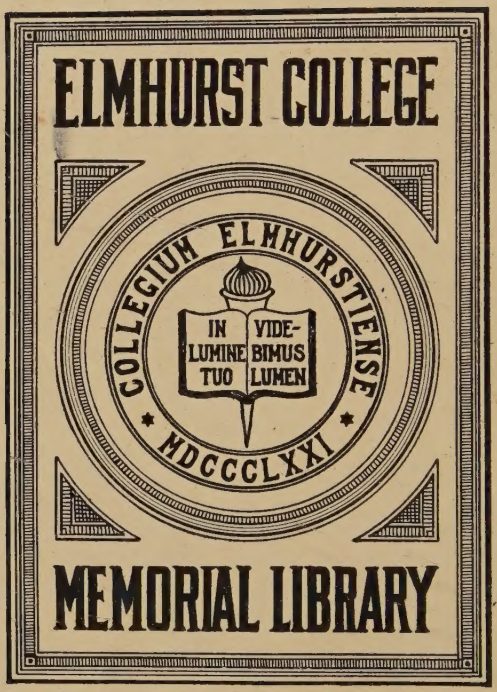
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GREAT BRITAIN
AND THE
AMERICAN CIVIL WAR

LORD JOHN RUSSELL

(From Trevelyan's "Garibaldi and the Making of Italy")

GREAT BRITAIN
AND THE
AMERICAN CIVIL WAR

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IN TWO VOLUMES

VOL. I.

WITH ILLUSTRATIONS

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Made in Great Britain

Ad 17

PREFACE

This work was begun many years ago. In 1908 I read in the British Museum many newspapers and journals for the years 1860-1865, and then planned a survey of English public opinion on the American Civil War. In the succeeding years as a teacher at Stanford University, California, the published diplomatic correspondence of Great Britain and of the United States were studied in connection with instruction given in the field of British-American relations. Several of my students prepared excellent theses on special topics and these have been acknowledged where used in this work. Many distractions and other writing prevented the completion of my original plan; and fortunately, for when in 1913 I had at last begun this work and had prepared three chapters, a letter was received from the late Charles Francis Adams inviting me to collaborate with him in preparing a "Life" of his father, the Charles Francis Adams who was American Minister to Great Britain during the Civil War. Mr. Adams had recently returned from England where he had given at Oxford University a series of lectures on the Civil War and had been so fortunate as to obtain copies, made under the scholarly supervision of Mr. Worthington C. Ford, of a great mass of correspondence from the Foreign Office files in the Public Record Office and from the private papers in the possession of various families.

The first half of the year 1914 was spent with Mr. Adams at Washington and at South Lincoln, in preparing the "Life." Two volumes were completed, the first by Mr.

Adams carrying the story to 1848, the second by myself for the period 1848 to 1860. For the third volume I analysed and organized the new materials obtained in England and we were about to begin actual collaboration on the most vital period of the " Life " when Mr. Adams died, and the work was indefinitely suspended, probably wisely, since any completion of the " Life " by me would have lacked that individual charm in historical writing so markedly characteristic of all that Mr. Adams did. The half-year spent with Mr. Adams was an inspiration and constitutes a precious memory.

The Great War interrupted my own historical work, but in 1920 I returned to the original plan of a work on " Great Britain and the American Civil War " in the hope that the English materials obtained by Mr. Adams might be made available to me. When copies were secured by Mr. Adams in 1913 a restriction had been imposed by the Foreign Office to the effect that while studied for information, citations and quotations were not permissible since the general diplomatic archives were not yet open to students beyond the year 1859. Through my friend Sir Charles Lucas, the whole matter was again presented to the Foreign Office, with an exact statement that the new request was in no way related to the proposed " Life " of Charles Francis Adams, but was for my own use of the materials. Lord Curzon, then Foreign Secretary, graciously approved the request but with the usual condition that my manuscript be submitted before publication to the Foreign Office. This has now been done, and no single citation censored. Before this work will have appeared the limitation hitherto imposed on diplomatic correspondence will have been removed, and the date for open research have been advanced beyond 1865, the end of the Civil War.

Similar explanations of my purpose and proposed work were made through my friend Mr. Francis W. Hirst to the

owners of various private papers, and prompt approval given. In 1924 I came to England for further study of some of these private papers. The Russell Papers, transmitted to the Public Record Office in 1914 and there preserved, were used through the courtesy of the Executors of the late Hon. Rollo Russell, and with the hearty goodwill of Lady Agatha Russell, daughter of the late Earl Russell, the only living representative of her father, Mr. Rollo Russell, his son, having died in 1914. The Lyons Papers, preserved in the Muniment Room at Old Norfolk House, were used through the courtesy of the Duchess of Norfolk, who now represents her son who is a minor. The Gladstone Papers, preserved at Hawarden Castle, were used through the courtesy of the Gladstone Trustees. The few citations from the Palmerston Papers, preserved at Broadlands, were approved by Lieut.-Colonel Wilfred Ashley, M.P.

The opportunity to study these private papers has been invaluable for my work. Shortly after returning from England in 1913 Mr. Worthington Ford well said: "The inside history of diplomatic relations between the United States and Great Britain may be surmised from the official archives; the tinting and shading needed to complete the picture must be sought elsewhere." (Mass. Hist. Soc. *Proceedings*, XLVI, p. 478.) Mr. C. F. Adams declared (*ibid.*, XLVII, p. 54) that without these papers ". . . the character of English diplomacy at that time (1860-1865) cannot be understood. . . . It would appear that the commonly entertained impressions as to certain phases of international relations, and the proceedings and utterances of English public men during the progress of the War of Secession, must be to some extent revised."

In addition to the new English materials I have been fortunate in the generosity of my colleague at Stanford University, Professor Frank A. Golder, who has given to me transcripts, obtained at St. Petersburg in 1914, of all

Russian diplomatic correspondence on the Civil War. Many friends have aided, by suggestion or by permitting the use of notes and manuscripts, in the preparation of this work. I have sought to make due acknowledgment for such aid in my foot-notes. But in addition to those already named, I should here particularly note the courtesy of the late Mr. Gaillard Hunt for facilities given in the State Department at Washington, of Mr. Herbert Putnam, Librarian of Congress, for the transcript of the Correspondence of Mason and Slidell, Confederate Commissioners in Europe, and of Mr. Charles Moore, Chief of Manuscripts Division, Library of Congress, for the use of the Schurz Papers containing copies of the despatches of Schleiden, Minister of the Republic of Bremen at Washington during the Civil War. Especially thanks are due to my friend, Mr. Herbert Hoover, for his early interest in this work and for his generous aid in the making of transcripts which would otherwise have been beyond my means. And, finally, I owe much to the skill and care of my wife who made the entire typescript for the Press, and whose criticisms were invaluable.

It is no purpose of a Preface to indicate results, but it is my hope that with, I trust, a "calm comparison of the evidence," now for the first time available to the historian, a fairly true estimate may be made of what the American Civil War meant to Great Britain; how she regarded it and how she reacted to it. In brief, my work is primarily a study in British history in the belief that the American drama had a world significance, and peculiarly a British one.

EPHRAIM DOUGLASS ADAMS.

November 25, 1924

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GREAT BRITAIN AND THE AMERICAN CIVIL WAR

CHAPTER I

BACKGROUNDS

In 1862, less than a year after he had assumed his post in London, the American Minister, Charles Francis Adams, at a time of depression and bitterness wrote to Secretary of State Seward : " That Great Britain did, in the most terrible moment of our domestic trial in struggling with a monstrous social evil she had earnestly professed to abhor, coldly and at once assume our inability to master it, and then become the only foreign nation steadily contributing in every indirect way possible to verify its judgment, will probably be the verdict made against her by posterity, on calm comparison of the evidence."[1] Very different were the views of Englishmen. The historian, George Grote, could write : " The perfect neutrality [of Great Britain] in this destructive war appears to me almost a phenomenon in political history. No such forbearance has been shown during the political history of the last two centuries. It is the single case in which the English Government and public—generally so meddlesome—have displayed most prudent and commendable forbearance in spite of great temptations to the contrary."[2] And Sir William Harcourt, in September, 1863, declared : " Among all Lord Russell's many titles to fame and to public gratitude, the manner in which he has steered the vessel of State through the Scylla and Charybdis of the American War will, I think, always stand conspicuous."[3]

[1] State Department, Eng., Vol. LXXIX, No. 135, March 27, 1862.
[2] Walpole, *Russell*, Vol. II, p. 367. [3] *Life of Lady John Russell*, p. 197.

Minister Adams, in the later years of the Civil War, saw reason somewhat to modify his earlier judgment, but his indictment of Great Britain was long prevalent in America, as, indeed, it was also among the historians and writers of Continental Europe—notably those of France and Russia. To what extent was this dictum justified? Did Great Britain in spite of her long years of championship of personal freedom and of leadership in the cause of anti-slavery seize upon the opportunity offered in the disruption of the American Union, and forgetting humanitarian idealisms, react only to selfish motives of commercial advantage and national power? In brief, how is the American Civil War to be depicted by historians of Great Britain, recording her attitude and action in both foreign and domestic policy, and revealing the principles of her statesmen, or the inspirations of her people?

It was to answer this question that the present work was originally undertaken; but as investigation proceeded it became progressively more clear that the great crisis in America was almost equally a crisis in the domestic history of Great Britain itself and that unless this were fully appreciated no just estimate was possible of British policy toward America. Still more it became evident that the American Civil War, as seen through British spectacles, could not be understood if regarded as an isolated and unique situation, but that the conditions preceding that situation—some of them lying far back in the relations of the two nations—had a vital bearing on British policy and opinion when the crisis arose. No expanded examination of these preceding conditions is here possible, but it is to a summary analysis of them that this first chapter is devoted.

. . . . . .

On the American War for separation from the Mother Country it is unnecessary to dilate, though it should always

be remembered that both during the war and afterwards there existed a minority in Great Britain strongly sympathetic with the political ideals proclaimed in America——regarding those ideals, indeed, as something to be striven for in Britain itself and the conflict with America as, in a measure, a conflict in home politics. But independence once acknowledged by the Treaty of Peace of 1783, the relations between the Mother Country and the newly-created United States of America rapidly tended to adjust themselves to lines of contact customary between Great Britain and any other Sovereign State. Such contacts, fixing national attitude and policy, ordinarily occur on three main lines: governmental, determined by officials in authority in either State whose duty it is to secure the greatest advantage in power and prosperity for the State; commercial, resulting, primarily, from the interchange of goods and the business opportunities of either nation in the other's territory, or from their rivalry in foreign trade; idealistic, the result of comparative development especially in those ideals of political structure which determine the nature of the State and the form of its government. The more obvious of these contacts is the governmental, since the attitude of a people is judged by the formal action of its Government, and, indeed, in all three lines of contact the government of a State is directly concerned and frequently active. But it may be of service to a clearer appreciation of British attitude and policy before 1860, if the intermingling of elements required by a strict chronological account of relations is here replaced by a separate review of each of the three main lines of contact.

Once independence had been yielded to the American Colonies, the interest of the British Government rapidly waned in affairs American. True, there still remained the valued establishments in the West Indies, and the less considered British possessions on the continent to the

north of the United States. Meanwhile, there were occasional frictions with America arising from uncertain claims drawn from the former colonial privileges of the new state, or from boundary contentions not settled in the treaty of peace. Thus the use of the Newfoundland fisheries furnished ground for an acrimonious controversy lasting even into the twentieth century, and occasionally rising to the danger point. Boundary disputes dragged along through official argument, survey commissions, arbitration, to final settlement, as in the case of the northern limits of the State of Maine fixed at last by the Treaty of Washington of 1842, and then on lines fair to both sides at any time in the forty years of legal bickering. Very early, in 1817, an agreement creditable to the wisdom and pacific intentions of both countries, was reached establishing small and equal naval armaments on the Great Lakes. The British fear of an American attack on Canada proved groundless as time went on and was definitely set at rest by the strict curb placed by the American Government upon the restless activities of such of its citizens as sympathized with the followers of McKenzie and Papineau in the Canadian rebellion of 1837.[1]

None of these governmental contacts affected greatly the British policy toward America. But the " War of 1812," as it is termed in the United States, " Mr. Madison's War," as it was derisively named by Tory contemporaries in Great Britain, arose from serious policies in which the respective governments were in definite opposition. Briefly, this was a clash between belligerent and neutral interests. Britain, fighting at first for the preservation of Europe against the spread of French revolutionary influence, later against the Napoleonic plan of Empire, held the seas in her grasp and exercised with vigour all the accustomed rights of a naval

[1] There was a revival of this fear at the end of the American Civil War. This will be commented on later.

belligerent. Of necessity, from her point of view, and as always in the case of the dominant naval belligerent, she stretched principles of international law to their utmost interpretation to secure her victory in war. America, soon the only maritime neutral of importance, and profiting greatly by her neutrality, contested point by point the issue of exceeded belligerent right as established in international law. America did more; she advanced new rules and theories of belligerent and neutral right respectively, and demanded that the belligerents accede to them. Dispute arose over blockades, contraband, the British "rule of 1756" which would have forbidden American trade with French colonies in war time, since such trade was prohibited by France herself in time of peace. But first and foremost as touching the personal sensibilities and patriotism of both countries was the British exercise of a right of search and seizure to recover British sailors.

Moreover this asserted right brought into clear view definitely opposed theories as to citizenship. Great Britain claimed that a man once born a British subject could never cease to be a subject—could never "alienate his duty." It was her practice to fill up her navy, in part at least, by the "impressment" of her sailor folk, taking them whenever needed, and wherever found—in her own coast towns, or from the decks of her own mercantile marine. But many British sailors sought security from such impressment by desertion in American ports or were tempted to desert to American merchant ships by the high pay obtainable in the rapidly-expanding United States merchant marine. Many became by naturalization citizens of the United States, and it was the duty of America to defend them as such in their lives and business. America ultimately came to hold, in short, that expatriation was accomplished from Great Britain when American citizenship was conferred. On shore they were safe, for Britain did not attempt

to reclaim her subjects from the soil of another nation. But she denied that the American flag on merchant vessels at sea gave like security and she asserted a naval right to search such vessels in time of peace, professing her complete acquiescence in a like right to the American navy over British merchant vessels—a concession refused by America, and of no practical value since no American citizen sought service in the British merchant marine.

This "right of search" controversy involved then, two basic points of opposition between the two governments. First America contested the British theory of "once a citizen always a citizen"; [1] second, America denied any right whatever to a foreign naval vessel in *time of peace* to stop and search a vessel lawfully flying the American flag. The *right of search in time of war*, that is, a belligerent right of search, America never denied, but there was both then and later much public confusion in both countries as to the question at issue since, once at war, Great Britain frequently exercised a legal belligerent right of search and followed it up by the seizure of sailors alleged to be British subjects. Nor were British naval captains especially careful to make sure that no American-born sailors were included in their impressment seizures, and as the accounts spread of victim after victim, the American irritation steadily increased. True, France was also an offender, but as the weaker naval power her offence was lost sight of in view of the, literally, thousands of *bona fide* Americans seized by Great Britain. Here, then, was a third cause of irritation connected with impressment, though not a point of governmental dispute as to right, for Great Britain professed her earnest desire to restore promptly any American-born sailors whom her naval officers had seized through error. In fact many such sailors were soon liberated, but a large number either continued to serve

[1] This was the position of President and Congress: yet the United States had not acknowledged the right of an American citizen to expatriate himself.

on British ships or to languish in British prisons until the end of the Napoleonic Wars.[1]

There were other, possibly greater, causes of the War of 1812, most of them arising out of the conflicting interests of the chief maritime neutral and the chief naval belligerent. The pacific presidential administration of Jefferson sought by trade restrictions, using embargo and non-intercourse acts, to bring pressure on both England and France, hoping to force a better treatment of neutrals. The United States, divided in sympathy between the belligerents, came near to disorder and disruption at home, over the question of foreign policy. But through all American factions there ran the feeling of growing animosity to Great Britain because of impressment. At last, war was declared by America in 1812 and though at the moment bitterly opposed by one section, New England, that war later came to be regarded as of great national value as one of the factors which welded the discordant states into a national unity. Naturally also, the war once ended, its commercial causes were quickly forgotten, whereas the individual, personal offence involved in impressment and right of search, with its insult to national pride, became a patriotic theme for politicians and for the press. To deny, in fact, a British "right of search" became a national point of honour, upon which no American statesman would have dared to yield to British overtures.

In American eyes the War of 1812 appears as a "second war of Independence" and also as of international importance in contesting an unjust use by Britain of her control of the seas. Also, it is to be remembered that no other war of importance was fought by America until the Mexican War of 1846, and militant patriotism was thus centred on the two wars fought against Great Britain.

[1] Between 1797 and 1801, of the sailors taken from American ships, 102 were retained, 1,042 were discharged, and 805 were held for further proof. (Updyke, *The Diplomacy of the War of* 1812, p. 21.)

The contemporary British view was that of a nation involved in a life and death struggle with a great European enemy, irritated by what seemed captious claims, developed to war, by a minor power.[1] To be sure there were a few obstinate Tories in Britain who saw in the war the opportunity of smashing at one blow Napoleon's dream of empire, and the American "democratic system." The London *Times* urged the government to "finish with Mr. Bonaparte and then deal with Mr. Madison and democracy," arguing that it should be England's object to subvert "the whole system of the Jeffersonian school." But this was not the purpose of the British Government, nor would such a purpose have been tolerated by the small but vigorous Whig minority in Parliament.

The peace of 1814, signed at Ghent, merely declared an end of the war, quietly ignoring all the alleged causes of the conflict. Impressment was not mentioned, but it was never again resorted to by Great Britain upon American ships. But the principle of right of search in time of peace, though for another object than impressment, was soon again asserted by Great Britain and for forty years was a cause of constant irritation and a source of danger in the relations of the two countries. Stirred by philanthropic emotion Great Britain entered upon a world crusade for the suppression of the African Slave Trade. All nations in principle repudiated that trade and Britain made treaties with various maritime powers giving mutual right of search to the naval vessels of each upon the others' merchant vessels. The African Slave Trade was in fact outlawed for the flags of all nations. But America, smarting under the memory of impressment injuries, and maintaining in any case the doctrine that in time of peace the national flag protected a vessel from inter-

[1] The people of the British North American Provinces regarded the war as an attempt made by America, taking advantage of the European wars, at forcible annexation. In result the fervour of the United Empire Loyalists was renewed, especially in Upper Canada. Thus the same two wars which fostered militant patriotism in America against England had the same result in Canadian sentiment against America.

ference or search by the naval vessels of any other power, refused to sign mutual right of search treaties and denied, absolutely, such a right for any cause whatever to Great Britain or to any other nation. Being refused a treaty, Britain merely renewed her assertion of the right and continued to exercise it.

Thus the right of search in time of peace controversy was not ended with the war of 1812 but remained a constant sore in national relations, for Britain alone used her navy with energy to suppress the slave trade, and the slave traders of all nations sought refuge, when approached by a British naval vessel, under the protection of the American flag. If Britain respected the flag, and sheered off from search, how could she stop the trade? If she ignored the flag and on boarding found an innocent American vessel engaged in legal trade, there resulted claims for damages by detention of voyage, and demands by the American Government for apology and reparation. The real slave trader, seized under the American flag, never protested to the United States, nor claimed American citizenship, for his punishment in American law for engaging in the slave trade was death, while under the law of any other nation it did not exceed imprisonment, fine and loss of his vessel.

Summed up in terms of governmental attitude the British contention was that here was a great international humanitarian object frustrated by an absurd American sensitiveness on a point of honour about the flag. After fifteen years of dispute Great Britain offered to abandon any claim to a right of *search*, contenting herself with a right of *visit*, merely to verify a vessel's right to fly the American flag. America asserted this to be mere pretence, involving no renunciation of a practice whose legality she denied. In 1842, in the treaty settling the Maine boundary controversy, the eighth article sought a method of escape. Joint cruising squadrons were provided for the coast of

Africa, the British to search all suspected vessels except those flying the American flag, and these to be searched by the American squadron. At once President Tyler notified Congress that Great Britain had renounced the right of search. Immediately in Parliament a clamour was raised against the Government for the "sacrifice" of a British right at sea, and Lord Aberdeen promptly made official disclaimer of such surrender.

Thus, heritage of the War of 1812 right of search in time of peace was a steady irritant. America doubted somewhat the honesty of Great Britain, appreciating in part the humanitarian purpose, but suspicious of an ulterior "will to rule the seas." After 1830 no American political leader would have dared to yield the right of search. Great Britain for her part, viewing the expansion of domestic slavery in the United States, came gradually to attribute the American contention, not to patriotic pride, but to the selfish business interests of the slave-holding states. In the end, in 1858, with a waning British enthusiasm for the cause of slave trade suppression, and with recognition that America had become a great world power, Britain yielded her claim to right of search or visit, save when established by Treaty. Four years later, in 1862, it may well have seemed to British statesmen that American slavery had indeed been the basic cause of America's attitude, for in that year a treaty was signed by the two nations giving mutual right of search for the suppression of the African Slave Trade. In fact, however, this was but an effort by Seward, Secretary of State for the North, to influence British and European opinion against the seceding slave states of the South.

The right of search controversy was, in truth, ended when American power reached a point where the British Government must take it seriously into account as a factor in general world policy. That power had been steadily and rapidly advancing since 1814. From almost the first moment

of established independence American statesmen visualized the separation of the interests of the western continent from those of Europe, and planned for American leadership in this new world. Washington, the first President, emphasized in his farewell address the danger of entangling alliances with Europe. For long the nations of Europe, immersed in Continental wars, put aside their rivalries in this new world. Britain, for a time, neglected colonial expansion westward, but in 1823, in an emergency of European origin when France, commissioned by the great powers of continental Europe, intervened in Spain to restore the deposed Bourbon monarchy and seemed about to intervene in Spanish America to restore to Spain her revolted colonies, there developed in Great Britain a policy, seemingly about to draw America and England into closer co-operation. Canning, for Britain, proposed to America a joint declaration against French intervention in the Americas. His argument was against the principle of intervention; his immediate motive was a fear of French colonial expansion; but his ultimate object was inheritance by Britain of Spain's dying influence and position in the new world.

Canning's overture was earnestly considered in America. The ex-Presidents, Jefferson and Madison, recommended its acceptance, but the Secretary of State, John Quincy Adams, opposed this, favouring rather a separate declaration by the United States, and of this opinion was also President Monroe. Thus arose the Monroe Doctrine announcing American opposition to the principle of "intervention," and declaring that the American continents were no longer to be regarded as open to further colonization by European nations. The British emergency situation with France, though already quieted, caused Monroe's Message to be greeted in England with high approval. But Canning did not so approve it for he saw clearly that the Monroe Doctrine was a challenge

not merely to continental Europe, but to England as well and he set himself to thwart this threatening American policy. Had Canning's policy been followed by later British statesmen there would have resulted a serious clash with the United States.[1]

In fact the Monroe Doctrine, imposing on Europe a self-denying policy of non-colonial expansion toward the west, provided for the United States the medium, if she wished to use it, for her own expansion in territory and in influence. But for a time there was no need of additional territory for that already hers stretched from the Atlantic to the Rocky Mountains, two-thirds of the way from ocean to ocean. Her population was growing fast. But four millions at the time of the Revolution, there were thirteen millions in 1830, and of these nearly a third were already across the Appalachian range and were constantly pressing on towards new lands in the South and West. The Monroe Doctrine was the first definite notice given to Europe of America's preconceived " destiny," but the earlier realization of that destiny took place on lines of expansion within her own boundaries. To this there could be no governmental objection, whether by Great Britain or any other nation.

But when in the decade 1840 to 1850, the United States, to the view of British statesmen, suddenly startled the world by entering upon a policy of further territorial expansion, forsaking her peaceful progress and turning toward war, there was a quick determination on a line of British policy as regards the American advance. The first intimation of the new American policy came in relation to the State of Texas which had revolted from Mexico in 1836, and whose independence had been generally recognized by 1842. To this new state Britain sent diplomatic and consular agents and these reported two factions among the people—one

[1] Temperley, " Later American Policy of George Canning " in *Am. Hist. Rev.*, XI, 783. Also *Cambridge History of British Foreign Policy*, Vol. II, ch. 2.

seeking admission to the American Union, one desiring the maintenance of independence.

In 1841 Aberdeen had sent Lord Ashburton to America with instructions to secure, if possible, a settlement of all matters in dispute. Here was a genuine British effort to escape from national irritations. But before the Treaty of 1842 was signed, even while it was in the earlier stages of negotiation, the British Government saw, with alarm, quite new questions arising, preventing, to its view, that harmonious relation with the United States the desire for which had led to the Ashburton mission. This new development was the appearance of an American fever for territorial expansion, turning first toward Texas, but soon voiced as a " manifest destiny " which should carry American power and institutions to the Pacific and even into Central America. Among these institutions was that of slavery, detested by the public of Great Britain, yet a delicate matter for governmental consideration since the great cotton manufacturing interests drew the bulk of their supplies of raw cotton from the slave-holding states of America. If Texas, herself a cotton state, should join the United States, dependence upon slave-grown cotton would be intensified. Also, Texas, once acquired, what was there to prevent further American exploitation, followed by slave expansion, into Mexico, where for long British influence had been dominant?

On the fate of Texas, therefore, centred for a time the whole British policy toward America. Pakenham, the British minister to Mexico, urged a British pressure on Mexico to forgo her plans of reconquering Texas, and strong British efforts to encourage Texas in maintaining her independence. His theory foreshadowed a powerful buffer Anglo-Saxon state, prohibiting American advance to the south-west, releasing Britain from dependence on American cotton, and ultimately, he hoped, leading Texas to abolish

slavery, not yet so rooted as to be ineradicable. This policy was approved by the British Government, Pakenham was sent to Washington to watch events, a *chargé*, Elliot, was despatched to Texas, and from London lines were cast to draw France into the plan and to force the acquiescence of Mexico.

In this brief account of main lines of governmental contacts, it is unnecessary to recite the details of the diplomatic conflict, for such it became, with sharp antagonisms manifested on both sides. The basic fact was that America was bent upon territorial expansion, and that Great Britain set herself to thwart this ambition. But not to the point of war. Aberdeen was so incautious at one moment as to propose to France and Mexico a triple guarantee of the independence of Texas, if that state would acquiesce, but when Pakenham notified him that in this case, Britain must clearly understand that war with America was not merely possible, but probable, Aberdeen hastened to withdraw the plan of guarantee, fortunately not yet approved by Mexico.[1]

The solution of this diplomatic contest thus rested with Texas. Did she wish annexation to the United States, or did she prefer independence? Elliot, in Texas, hoped to the last moment that Texas would choose independence and British favour. But the people of the new state were largely emigrants from the United States, and a majority of them wished to re-enter the Union, a step finally accomplished in 1846, after ten years of separate existence as a Republic. The part played by the British Government in this whole episode was not a fortunate one. It is the duty of Governments to watch over the interests of their subjects, and to

[1] Much has recently been published on British policy in Texas. See my book, *British Interests and Activities in Texas*, 1838-1846, Johns Hopkins Press, Balt., 1910. Also Adams, Editor, *British Diplomatic Correspondence concerning the Republic of Texas*, The Texas State Historical Association, Austin, Texas, 1918.

guard the prestige and power of the state. Great Britain had a perfect *right* to take whatever steps she chose to take in regard to Texas, but the steps taken appeared to Americans to be based upon a policy antagonistic to the American expansion policy of the moment. The Government of Great Britain appeared, indeed, to have adopted a policy of preventing the development of the power of the United States. Then, fronted with war, she had meekly withdrawn. The basic British public feeling, fixing the limits of governmental policy, of never again being drawn into war with America, not because of fear, but because of important trade relations and also because of essential liking and admiration, in spite of surface antagonisms, was not appreciated in America. Lord Aberdeen indeed, and others in governmental circles, pleaded that the support of Texan independence was in reality perfectly in harmony with the best interests of the United States, since it would have tended toward the limitation of American slavery. And in the matter of national power, they consoled themselves with prophecies that the American Union, now so swollen in size, must inevitably split into two, perhaps three, rival empires, a slave-holding one in the South, free nations in North and West.

The fate of Texas sealed, Britain soon definitely abandoned all opposition to American expansion unless it were to be attempted northwards, though prophesying evil for the American madness. Mexico, relying on past favours, and because of a sharp controversy between the United States and Great Britain over the Oregon territory, expected British aid in her war of 1846 against America. But she was sharply warned that such aid would not be given, and the Oregon dispute was settled in the Anglo-Saxon fashion of vigorous legal argument, followed by a fair compromise. The Mexican war resulted in the acquisition of California by the United States. British agents in this province of

Mexico, and British admirals on the Pacific were cautioned to take no active steps in opposition.

Thus British policy, after Texan annexation, offered no barrier to American expansion, and much to British relief the fear of the extension of the American plans to Mexico and Central America was not realized. The United States was soon plunged, as British statesmen had prophesied, into internal conflict over the question whether the newly-acquired territories should be slave or free.

The acquisition of California brought up a new problem of quick transit between Atlantic and Pacific, and a canal was planned across Central America. Here Britain and America acted together, at first in amity, though the convention signed in 1850 later developed discord as to the British claim of a protectorate over the Atlantic end of the proposed canal at San Juan del Nicaragua. But Britain was again at war in Europe in the middle 'fifties, and America was deep in quarrel over slavery at home. On both sides in spite of much diplomatic intrigue and of manifestations of national pride there was governmental desire to avoid difficulties. At the end of the ten-year period Britain ceded to Nicaragua her protectorate in the canal zone, and all causes of friction, so reported President Buchanan to Congress in 1860, were happily removed. Britain definitely altered her policy of opposition to the growth of American power.

In 1860, then, the causes of governmental antagonisms were seemingly all at an end. Impressment was not used after 1814. The differing theories of the two Governments on British expatriation still remained, but Britain attempted no practical application of her view. The right of search in time of peace controversy, first eased by the plan of joint cruising, had been definitely settled by the British renunciation of 1858. Opposition to American territorial advance but briefly manifested by Britain, had ended with

the annexation of Texas, and the fever of expansion had waned in America. Minor disputes in Central America, related to the proposed canal, were amicably adjusted.

But differences between nations, varying view-points of peoples, frequently have deeper currents than the more obvious frictions in governmental act or policy, nor can governments themselves fail to react to such less evident causes. It is necessary to review the commercial relations of the two nations—later to examine their political ideals.

In 1783 America won her independence in government from a colonial status. But commercially she remained a British colony—yet with a difference. She had formed a part of the British colonial system. All her normal trade was with the mother country or with other British colonies. Now her privileges in such trade were at an end, and she must seek as a favour that which had formerly been hers as a member of the British Empire. The direct trade between England and America was easily and quickly resumed, for the commercial classes of both nations desired it and profited by it. But the British colonial system prohibited trade between a foreign state and British colonies and there was one channel of trade, to and from the British West Indies, long very profitable to both sides, during colonial times, but now legally hampered by American independence. The New England States had lumber, fish, and farm products desired by the West Indian planters, and these in turn offered needed sugar, molasses, and rum. Both parties desired to restore the trade, and in spite of the legal restrictions of the colonial system, the trade was in fact resumed in part and either permitted or winked at by the British Government, but never to the advantageous exchange of former times.

The acute stage of controversy over West Indian trade was not reached until some thirty years after American Independence, but the uncertainty of such trade during a

long period in which a portion of it consisted in unauthorized and unregulated exchange was a constant irritant to all parties concerned. Meanwhile there came the War of 1812 with its preliminary check upon direct trade to and from Great Britain, and its final total prohibition of intercourse during the war itself. In 1800 the bulk of American importation of manufactures still came from Great Britain. In the contest over neutral rights and theories, Jefferson attempted to bring pressure on the belligerents, and especially on England, by restriction of imports. First came a non-importation Act, 1806, followed by an embargo on exports, 1807, but these were so unpopular in the commercial states of New England that they were withdrawn in 1810, yet for a short time only, for Napoleon tricked the United States into believing that France had yielded to American contentions on neutral rights, and in 1811 non-intercourse was proclaimed again with England alone. On June 18, 1812, America finally declared war and trade stopped save in a few New England ports where rebellious citizens continued to sell provisions to a blockading British naval squadron.

For eight years after 1806, then, trade with Great Britain had steadily decreased, finally almost to extinction during the war. But America required certain articles customarily imported and necessity now forced her to develop her own manufactures. New England had been the centre of American foreign commerce, but now there began a trend toward manufacturing enterprise. Even in 1814, however, at the end of the war, it was still thought in the United States that under normal conditions manufactured goods would again be imported and the general cry of " protection for home industries " was as yet unvoiced. Nevertheless, a group of infant industries had in fact been started and clamoured for defence now that peace was restored. This situation was not unnoticed in Great Britain

where merchants, piling up goods in anticipation of peace on the continent of Europe and a restored market, suddenly discovered that the poverty of Europe denied them that market. Looking with apprehension toward the new industries of America, British merchants, following the advice of Lord Brougham in a parliamentary speech, dumped great quantities of their surplus goods on the American market, selling them far below cost, or even on extravagant credit terms. One object was to smash the budding American manufactures.

This action of British merchants naturally stirred some angry patriotic emotions in the circles where American business suffered and a demand began to be heard for protection. But the Government of the United States was still representative of agriculture, in the main, and while a Tariff Bill was enacted in 1816 that Bill was regarded as a temporary measure required by the necessity of paying the costs of the recent war. Just at this juncture, however, British policy, now looking again toward a great colonial empire, sought advantages for the hitherto neglected maritime provinces of British North America, and thought that it had found them by encouragement of their trade with the British West Indies. The legal status of American trade with the West Indies was now enforced and for a time intercourse was practically suspended.

This British policy brought to the front the issue of protection in America. It not only worked against a return by New England from manufacturing to commerce, but it soon brought into the ranks of protectionists a northern and western agricultural element that had been accustomed to sell surplus products to West Indian planters seeking cheap food-stuffs for their slaves. This new protectionist element was as yet not crystallized into a clamour for "home markets" for agriculture, but the pressure of opinion was beginning to be felt, and by 1820 the question

of West Indian trade became one of constant agitation and demanded political action. That action was taken on lines of retaliation. Congress in 1818 passed a law excluding from American ports any British vessel coming from a port access to which was denied to an American vessel, and placing under bond in American ports British vessels with prohibition of their proceeding to a British port to which American vessels could not go. This act affected not merely direct trade with the West Indies, but stopped the general custom of British ships of taking part cargoes to Jamaica while *en route* to and from the United States. The result was, first, compromise, later, under Huskisson's administration at the British Board of Trade, complete abandonment by Britain of the exclusive trade basis of her whole colonial system.

The "retaliatory system" which J. Q. Adams regarded as "a new declaration of independence," was, in fact, quickly taken up by other non-colonial nations, and these, with America, compelled Great Britain to take stock of her interests. Huskisson, rightly foreseeing British prosperity as dependent upon her manufactures and upon the carrying trade, stated in Parliament that American "retaliation" had forced the issue. Freedom of trade in British ports was offered in 1826 to all non-colonial nations that would open their ports within one year on terms of equality to British ships. J. Q. Adams, now President of the United States, delayed acceptance of this offer, preferring a treaty negotiation, and was rebuffed by Canning, so that actual resumption of West Indian trade did not take place until 1830, after the close of Adams' administration. That trade never recovered its former prosperity.

Meanwhile the long period of controversy, from 1806 to 1830, had resulted in a complete change in the American situation. It is not a sufficient explanation of the American belief in, and practice of, the theory of protection to attribute

this alone to British checks placed upon free commercial rivalry. Nevertheless the progress of America toward an established system, reaching its highest mark for years in the Tariff Bill of 1828, is distinctly related to the events just narrated. After American independence, the partially illegal status of West Indian trade hampered commercial progress and slightly encouraged American manufactures by the mere seeking of capital for investment; the neutral troubles of 1806 and the American prohibitions on intercourse increased the transfer of interest; the war of 1812 gave a complete protection to infant industries; the dumping of British goods in 1815 stirred patriotic American feeling; British renewal of colonial system restrictions, and the twelve-year quarrel over "retaliation" gave time for the definite establishment of protectionist ideas in the United States. But Britain was soon proclaiming for herself and for the world the common advantage and the justice of a great theory of free trade. America was apparently now committed to an opposing economic theory, the first great nation definitely to establish it, and thus there resulted a clear-cut opposition of principle and a clash of interests. From 1846, when free trade ideas triumphed in England, the devoted British free trader regarded America as the chief obstacle to a world-wide acceptance of his theory.

The one bright spot in America, as regarded by the British free trader, was in the Southern States, where cotton interests, desiring no advantage from protection, since their market was in Europe, attacked American protection and sought to escape from it. Also slave supplies, without protection, could have been purchased more cheaply from England than from the manufacturing North. In 1833 indeed the South had forced a reaction against protection, but it proceeded slowly. In 1854 it was Southern opinion that carried through Congress the reciprocity treaty with the British American Provinces, partly brought about, no

doubt, by a Southern fear that Canada, bitter over the loss of special advantages in British markets by the British free trade of 1846, might join the United States and thus swell the Northern and free states of the Union. Cotton interests and trade became the dominant British commercial tie with the United States, and the one great hope, to the British minds, of a break in the false American system of protection. Thus both in economic theory and in trade, spite of British dislike of slavery, the export trading interests of Great Britain became more and more directed toward the Southern States of America. Adding powerfully to this was the dependence of British cotton manufactures upon the American supply. The British trade attitude, arising largely outside of direct governmental contacts, was bound to have, nevertheless, a constant and important influence on governmental action.

Governmental policy, seeking national power, conflicting trade and industrial interests, are the favourite themes of those historians who regard nations as determined in their relations solely by economic causes—by what is called "enlightened self-interest." But governments, no matter how arbitrary, and still more if in a measure resting on representation, react both consciously and unconsciously to a public opinion not obviously based upon either national or commercial rivalry. Sometimes, indeed, governmental attitude runs absolutely counter to popular attitude in international affairs. In such a case, the historical estimate, if based solely on evidences of governmental action, is a false one and may do great injustice to the essential friendliness of a people.

How then, did the British people, of all classes, regard America before 1860, and in what manner did that regard affect the British Government? Here, it is necessary to seek British opinion on, and its reaction to, American institutions, ideals, and practices. Such public opinion can

be found in quantity sufficient to base an estimate only in travellers' books, in reviews, and in newspapers of the period. When all these are brought together it is found that while there was an almost universal British criticism of American social customs and habits of life, due to that insularity of mental attitude characteristic of every nation, making it prefer its own customs and criticize those of its neighbours, summed up in the phrase " dislike of foreigners " —it is found that British opinion was centred upon two main threads ; first America as a place for emigration and, second, American political ideals and institutions.[1]

British emigration to America, a governmentally favoured colonization process before the American revolution, lost that favour after 1783, though not at first definitely opposed. But emigration still continued and at no time, save during the war of 1812, was it absolutely stopped. Its exact amount is unascertainable, for neither Government kept adequate statistics before 1820. With the end of the Napoleonic wars there came great distress in England from which the man of energy sought escape. He turned naturally to America, being familiar, by hearsay at least, with stories of the ease of gaining a livelihood there, and influenced by the knowledge that in the United States he would find people of his own blood and speech. The bulk of this earlier emigration to America resulted from economic causes. When, in 1825, one energetic Member of Parliament, Wilmot Horton, induced the Government to appoint a committee to investigate the whole subject, the result was a mass of testimony, secured from returned emigrants or from their letters home, in which there constantly appeared one main argument influencing the labourer type of emigrant ; he

[1] In my studies on British-American relations, I have read the leading British reviews and newspapers, and some four hundred volumes by British travellers. For a summary of the British travellers before 1860 see my article " The Point of View of the British Traveller in America," in the *Political Science Quarterly*, Vol. XXIX, No. 2, June, 1914.

got good wages, and he was supplied, as a farm hand, with good food. Repeatedly he testifies that he had " three meat meals a day," whereas in England he had ordinarily received but one such meal a week.

Mere good living was the chief inducement for the labourer type of emigrant, and the knowledge of such living created for this type remaining in England a sort of halo of industrial prosperity surrounding America. But there was a second testimony brought out by Horton's Committee, less general, yet to be picked up here and there as evidence of another argument for emigration to America. The labourer did not dilate upon political equality, nor boast of a share in government, indeed generally had no such share, but he did boast to his fellows at home of the social equality, though not thus expressing it, which was all about him. He was a common farm hand, yet he " sat down to meals " with his employer and family, and worked in the fields side by side with his " master." This, too, was an astounding difference to the mind of the British labourer. Probably for him it created a clearer, if not altogether universal and true picture of the meaning of American democracy than would have volumes of writing upon political institutions. Gradually there was established in the lower orders of British society a visualization of America as a haven of physical well-being and personal social happiness.

This British labouring class had for long, however, no medium of expression in print. Here existed, then, an unexpressed public opinion of America, of much latent influence, but for the moment largely negligible as affecting other classes or the Government. A more important emigrating class in its influence on opinion at home, though not a large class, was composed about equally of small farmers and small merchants facing ruin in the agricultural and trading crises that followed the end of the European war. The

British travellers' books from 1810 to 1820 are generally written by men of this class, or by agents sent out from co-operative groups planning emigration. Generally they were discontented with political conditions at home, commonly opposed to a petrified social order, and attracted to the United States by its lure of prosperity and content. The books are, in brief, a superior type of emigrant guide for a superior type of emigrant, examining and emphasizing industrial opportunity.

Almost universally, however, they sound the note of superior political institutions and conditions. One wrote "A republican finds here A Republic, and the only Republic on the face of the earth that ever deserved the name: where all are under the protection of equal laws; of laws made by Themselves."[1] Another, who established an English colony in the Western States of Illinois, wrote of England that he objected to "being ruled and taxed by people who had no more right to rule and tax us than consisted in the power to do it." And of his adopted country he concludes: "I love the Government; and thus a novel sensation is excited; it is like the development of a new faculty. I am become a patriot in my old age."[2] Still another detailed the points of his content, "I am here, lord and master of myself and of 100 acres of land—an improvable farm, little trouble to me, good society and a good market, and, I think, a fine climate, only a little too hot and dry in summer; the parson gets nothing from me; my state and road taxes and poor rates amount to $25.00 per annum. I can carry a gun if I choose; I leave my door unlocked at night; and I can get snuff for one cent an ounce or a little more."[3]

From the first days of the American colonial movement

[1] John Melish, *Travels*, Vol. I, p. 148.
[2] Morris Birkbeck, *Letters from Illinois*, London, 1818, p. 29.
[3] Letter in Edinburgh *Scotsman*, March, 1823. Cited by *Niles Register*, Vol. XXV, p. 39.

toward independence there had been, indeed, a British interest in American political principles. Many Whigs sympathized with these principles for reasons of home political controversy. Their sympathy continued after American independence and by its insistent expression brought out equally insistent opposition from Tory circles. The British home movement toward a more representative Government had been temporarily checked by the extremes into which French Liberalism plunged in 1791, causing reaction in England. By 1820 pressure was again being exerted by British Liberals of intelligence, and they found arguments in such reports as those just quoted. From that date onward, and especially just before the passing of the Reform Bill of 1832, yet always a factor, the example of a prosperous American democracy was an element in British home politics, lauded or derided as the man in England desired or not an expansion of the British franchise. In the earlier period, however, it is to be remembered that applause of American institutions did not mean acceptance of democracy to the extent of manhood franchise, for no such franchise at first existed in America itself. The debate in England was simply whether the step forward in American democracy, was an argument for a similar step in Great Britain.

Books, reviews and newspapers in Great Britain as the political quarrel there grew in force, depicted America favourably or otherwise according to political sympathies at home. Both before and after the Reform Bill of 1832 this type of effort to mould opinion, by citation of America, was widespread. Hence there is in such writing, not so much the expression of public opinion, as of propaganda to affect that opinion. Book upon book, review upon review, might be quoted to illustrate this, but a few notable examples will suffice.

The most widely read and reviewed book on the United

States before 1840, except the humorous and flippant characterization of America by Mrs. Trollope, was Captain Basil Hall's three-volume work, published in 1829.[1] Claiming an open mind, he expected for his adverse findings a readier credence. For adverse to American political institutions these findings are in all their larger applications. In every line Hall betrays himself as an old Tory of the 'twenties, fixed in his belief, and convinced of the perfection and unalterableness of the British Constitution. Captain Hamilton, who wrote in 1833, was more frank in avowal of a purpose.[2] He states in his preface:

> ". . . When I found the institutions and experiences of the United States deliberately quoted in the reformed parliament, as affording safe precedent for British legislation, and learned that the drivellers who uttered such nonsense, instead of encountering merited derision, were listened to with patience and approbation by men as ignorant as themselves, I certainly did feel that another work on America was yet wanted, and at once determined to undertake a task which inferior considerations would probably have induced me to decline."

Harriet Martineau, ardent advocate of political reform at home, found in the United States proofs for her faith in democracy.[3] Captain Marryat belittled Miss Martineau, but in his six volumes proved himself less a critic of America than an enemy of democracy. Answering a review of his earlier volumes, published separately, he wrote in his concluding volume: "I candidly acknowledge that the reviewer is right in his supposition; my great object has been to do serious injury to the cause of democracy."[4]

[1] *Travels in North America*, 1827-28, London, 1829.

[2] Captain Thomas Hamilton, *Men and Manners in America*, Edinburgh and London, 1833. 2 vols.

[3] *Society in America*, London, 1837. 3 vols. *Retrospect of Western Travel*, London, 1838. 2 vols.

[4] Captain Frederick Marryat, *A Diary in America, with Remarks on Its Institutions*, Vol. VI, p. 293.

The fact was that British governing and intellectual classes were suffering a recoil from the enthusiasms leading up to the step toward democracy in the Reform of 1832. The electoral franchise was still limited to a small minority of the population. Britain was still ruled by her " wise men " of wealth and position. Meanwhile, however, just at the moment when dominant Whig influence in England carried through that step forward toward democratic institutions which Whigs had long lauded in America, the latter country had progressed to manhood suffrage, or as nearly all leading Englishmen, whether Whig or Tory, regarded it, had plunged into the rule of the mob. The result was a rapid lessening in Whig ruling-class expression of admiration for America, even before long to the complete cessation of such admiration, and to assertions in Great Britain that the Reform of 1832 was " final," the last step toward democracy which Britain could safely take. It is not strange that the books and reviews of the period from 1830 to 1840, heavily stress the dangers and crudity of American democracy. They were written for what was now a nearly unanimous British reading public, fearful lest Radical pressure for still further electoral reform should preach the example of the United States.

Thus after 1832 the previous sympathy for America of one section of the British governing class disappears. More—it is replaced by a critical, if not openly hostile attitude. Soon, with the rapid development of the power and wealth of the United States, governing-class England, of all factions save the Radical, came to view America just as it would have viewed any other rising nation, that is, as a problem to be studied for its influence on British prosperity and power. Again, expressions in print reflect the changes of British view—nowhere more clearly than in travellers' books. After 1840, for nearly a decade, these are devoted, not to American political institutions, but to

studies, many of them very careful ones, of American industry and governmental policy.

Buckingham, one-time member of Parliament, wrote nine volumes of such description. His work is a storehouse of fact, useful to this day to the American historical student.[1] George Combe, philosopher and phrenologist, studied especially social institutions.[2] Joseph Sturge, philanthropist and abolitionist, made a tour, under the guidance of the poet Whittier, through the Northern and Eastern States.[3] Featherstonaugh, a scientist and civil engineer, described the Southern slave states, in terms completely at variance with those of Sturge.[4] Kennedy, traveller in Texas, and later British consul at Galveston, and Warburton, a traveller who came to the United States by way of Canada, an unusual approach, were both frankly startled, the latter professedly alarmed, at the evidences of power in America.[5] Amazed at the energy, growth and prosperity of the country and alarmed at the anti-British feeling he found in New York City, Warburton wrote that " they [Americans] only wait for matured power to apply the incendiary torch of Republicanism to the nations of Europe."[6] Soon after this was written there began, in 1848, that great tide of Irish emigration to America which heavily reinforced the anti-British attitude of the City of New York, and largely changed its character.

Did books dilating upon the expanding power of America reflect British public opinion, or did they create it ? It is

[1] James Silk Buckingham, *America, Historical, Statistic and Descriptive*, London, 1841-43. 9 vols.

[2] *Notes on the United States of North America during a phrenological visit*, 1838-9-40, Edinburgh, 1841. 3 vols.

[3] *A Visit to the United States in* 1841, London, 1842.

[4] George William Featherstonaugh, *Excursion through the Slave States*, London, 1844. 2 vols.

[5] William Kennedy, *Texas : The Rise, Progress and Prospects of the Republic of Texas*, London, 1841. 2 vols. George Warburton, *Hochelaga : or, England in the New World*, London, 1845. 2 vols.

[6] Warburton, *Hochelaga*, 5th Edition, Vol. II, pp. 363-4.

difficult to estimate such matters. Certainly it is not uninteresting that these books coincided in point of time with a British governmental attitude of opposition, though on peaceful lines, to the development of American power, and to the adoption to the point of faith, by British commercial classes, of free trade as opposed to the American protective system. But governing classes were not the British public, and to the great unenfranchised mass, finding voice through the writings of a few leaders, the prosperity of America made a powerful appeal. Radical democracy was again beginning to make its plea in Britain. In 1849 there was published a study of the United States, more careful and exact than any previous to Bryce's great work, and lauding American political institutions. This was Mackay's "Western World," and that there was a public eager for such estimate is evidenced by the fact that the book went through four British editions in 1850.[1] At the end of the decade, then, there appeared once more a vigorous champion of the cause of British democracy, comparing the results of "government by the wise" with alleged mob rule. Mackay wrote:

> "Society in America started from the point to which society in Europe is only yet tending. The equality of men is, to this moment, its corner-stone . . . that which develops itself as the sympathy of class, becomes in America the general sentiment of society. . . . We present an imposing front to the world; but let us tear the picture and look at the canvas. One out of every seven of us is a pauper. Every six Englishmen have, in addition to their other enormous burdens, to support a seventh between them, whose life is spent in consuming, but in adding nothing to the source of their common subsistence."

British governing classes then, forgoing after 1850 opposition to the advance of American power, found them-

[1] Alexander Mackay, *The Western World: or, Travels through the United States in* 1846-47, London, 1849.

selves involved again, as before 1832, in the problem of the possible influence of a prosperous American democracy upon an unenfranchised public opinion at home. Also, for all Englishmen, of whatever class, in spite of rivalry in power, of opposing theories of trade, of divergent political institutions, there existed a vague, though influential, pride in the advance of a people of similar race, sprung from British loins.[1] And there remained for all Englishmen also one puzzling and discreditable American institution, slavery —held up to scorn by the critics of the United States, difficult of excuse among her friends.

Agitation conducted by the great philanthropist, Wilberforce, had early committed British Government and people to a crusade against the African slave trade. This British policy was clearly announced to the world in the negotiations at Vienna in 1814-15. But Britain herself still supported the institution of slavery in her West Indian colonies and it was not until British humanitarian sentiment had forced emancipation upon the unwilling sugar planters, in 1833, that the nation was morally free to criticize American domestic slavery. Meanwhile great emancipation societies, with many branches, all virile and active, had grown up in England and in Scotland. These now turned to an attack on slavery the world over, and especially on American slavery. The great American abolitionist, Garrison, found more support in England than in his own country; his weekly paper, *The Liberator*, is full of messages of cheer from British friends and societies, and of quotations from a sympathetic, though generally provincial, British press.

From 1830 to 1850 British anti-slavery sentiment was at its height. It watched with anxiety the evidence of a developing struggle over slavery in the United States,

[1] This is clearly indicated in Parliament itself, in the debate on the dismissal by the United States in 1856 of Crampton, the British Minister at Washington, for enlistment activities during the Crimean War.—*Hansard*, 3rd. Ser., CXLIII, 14-109 and 120-203.

hopeful, as each crisis arose, that the free Northern States would impose their will upon the Southern Slave States. But as each crisis turned to compromise, seemingly enhancing the power of the South, and committing America to a retention of slavery, the hopes of British abolitionists waned. The North did indeed, to British opinion, become identified with opposition to the expansion of slavery, but after the "great compromise of 1850," where the elder American statesmen of both North and South proclaimed the "finality" of that measure, British sympathy for the North rapidly lessened. Moreover, after 1850, there was in Britain itself a decay of general humanitarian sentiment as regards slavery. The crusade had begun to seem hopeless and the earlier vigorous agitators were dead. The British Government still maintained its naval squadron for the suppression of the African slave trade, but the British official mind no longer keenly interested itself either in this effort or in the general question of slavery.

Nevertheless American slavery and slave conditions were still, after 1850, favourite matters for discussion, almost universally critical, by English writers. Each renewal of the conflict in America, even though local, not national in character, drew out a flood of comment. In the public press this blot upon American civilization was a steady subject for attack, and that attack was naturally directed against the South. The London *Times*, in particular, lost no opportunity of presenting the matter to its readers. In 1856, a Mr. Thomas Gladstone visited Kansas during the height of the border struggles there, and reported his observations in letters to the *Times*. The writer was wholly on the side of the Northern settlers in Kansas, though not hopeful that the Kansas struggle would expand to a national conflict. He constantly depicted the superior civilization, industry, and social excellence of the North as compared with the South.[1]

[1] Gladstone's letters were later published in book form, under the title *The Englishman in Kansas*, London, 1857.

Mrs. Stowe's *Uncle Tom's Cabin* excited greater interest in England than in America itself. The first London edition appeared in May, 1852, and by the end of the year over one million copies had been sold, as opposed to one hundred and fifty thousand in the United States. But if one distinguished writer is to be believed, this great British interest in the book was due more to English antipathy to America than to antipathy to slavery.[1] This writer was Nassau W. Senior, who, in 1857, published a reprint of his article on "American Slavery" in the 206th number of the *Edinburgh Review*, reintroducing in his book extreme language denunciatory of slavery that had been cut out by the editor of the *Review*.[2] Senior had been stirred to write by the brutal attack upon Charles Sumner in the United States Senate after his speech of May 19-20, 1856, evidence, again, that each incident of the slavery quarrel in America excited British attention.

Senior, like Thomas Gladstone, painted the North as all anti-slavery, the South as all pro-slavery. Similar impressions of British understanding (or misunderstanding) are received from the citations of the British provincial press, so favoured by Garrison in his *Liberator*.[3] Yet for intellectual Britain, at least—that Britain which was vocal and whose opinion can be ascertained in spite of this constant interest in American slavery, there was generally a fixed belief that slavery in the United States was so firmly

[1] "The evil passions which 'Uncle Tom' gratified in England were not hatred or vengeance [of slavery], but national jealousy and national vanity. We have long been smarting under the conceit of America—we are tired of hearing her boast that she is the freest and the most enlightened country that the world has ever seen. Our clergy hate her voluntary system—our Tories hate her democrats—our Whigs hate her parvenus—our Radicals hate her litigiousness, her insolence, and her ambition. All parties hailed Mrs. Stowe as a revolter from the enemy." Senior, *American Slavery*, p. 38.

[2] The reprint is without date, but the context shows the year to be 1857.

[3] For example the many British expressions quoted in reference to John Brown's raid, in *The Liberator* for February 10, 1860, and in succeeding issues.

established that it could not be overthrown. Of what use, then, the further expenditure of British sympathy or effort in a lost cause? Senior himself, at the conclusion of his fierce attack on the Southern States, expressed the pessimism of British abolitionists. He wrote, "We do not venture to hope that we, or our sons, or our grandsons, will see American slavery extirpated, or even materially mitigated." [1]

[1] Senior, *American Slavery*, p. 68.

CHAPTER II

FIRST KNOWLEDGE OF IMPENDING CONFLICT, 1860–61.

It has been remarked by the American historian, Schouler, that immediately before the outbreak of the Civil War, diplomatic controversies between England and America had largely been settled, and that England, pressed from point to point, had " sullenly " yielded under American demands. This generalization, as applied to what were, after all, minor controversies, is in great measure true. In larger questions of policy, as regards spheres of influence or developing power, or principles of trade, there was difference, but no longer any essential opposition or declared rivalry.[1] In theories of government there was sharp divergence, clearly appreciated, however, only in governing-class Britain. This sense of divergence, even of a certain threat from America to British political institutions, united with an established opinion that slavery was permanently fixed in the United States to reinforce governmental indifference, sometimes even hostility, to America. The British public, also, was largely hopeless of any change in the institution of slavery, and its own active humanitarian interest was waning, though still dormant—not dead. Yet the two nations, to a degree not true of any other two world-powers, were of the same race, had similar basic laws, read the same books, and were held in close touch at many points by the steady flow of British emigration to the United States.

[1] Dr. Newton asserts that at the end of the 'fifties Great Britain made a sharp change of policy. (*Cambridge History of British Foreign Policy*, Vol. II, p. 283.)

When, after the election of Lincoln to the Presidency, in November, 1860, the storm-clouds of civil strife rapidly gathered, the situation took both British Government and people by surprise. There was not any clear understanding either of American political conditions, or of the intensity of feeling now aroused over the question of the extension of slave territory. The most recent descriptions of America had agreed in assertion that at some future time there would take place, in all probability, a dissolution of the Union, on lines of diverging economic interests, but also stated that there was nothing in the American situation to indicate immediate progress in this direction. Grattan, a long-time resident in America as British Consul at Boston, wrote :

> "The day must no doubt come when clashing objects will break the ties of common interest which now preserve the Union. But no man may foretell the period of dissolution. . . . The many restraining causes are out of sight of foreign observation. The Lilliputian threads binding the man mountain are invisible ; and it seems wondrous that each limb does not act for itself independently of its fellows. A closer examination shows the nature of the network which keeps the members of this association so tightly bound. Any attempt to untangle the ties, more firmly fastens them. When any one State talks of separation, the others become spontaneously knotted together. When a section blusters about its particular rights, the rest feel each of theirs to be common to all. If a foreign nation hint at hostility, the whole Union becomes in reality united. And thus in every contingency from which there can be danger, there is also found the element of safety." Yet, he added, "All attempts to strengthen this federal government at the expense of the States' governments must be futile. . . . The federal government exists on sufferance only. Any State may at any time constitutionally withdraw from the Union, and thus virtually dissolve it."[1]

[1] Thomas Colley Grattan, *Civilized America*, 2 vols. 2nd ed., London, 1859, Vol. I, pp. 284-87. The first edition was printed in 1859 and a third in 1861. In some respects the work is historically untrustworthy since

Even more emphatically, though with less authority, wrote one Charles Mackay, styled by the American press as a "distinguished British poet," who made the usual rapid tour of the principal cities of America in 1857-58, and as rapidly penned his impressions:

> "Many persons in the United States talk of a dissolution of the Union, but few believe in it. . . . All this is mere bravado and empty talk. It means nothing. The Union is dear to all Americans, whatever they may say to the contrary. . . . There is no present danger to the Union, and the violent expressions to which over-ardent politicians of the North and South sometimes give vent have no real meaning. The 'Great West,' as it is fondly called, is in the position even now to arbitrate between North and South, should the quarrel stretch beyond words, or should anti-slavery or any other question succeed in throwing any difference between them which it would take revolvers and rifles rather than speeches and votes to put an end to."[2]

The slavery controversy in America had, in short, come to be regarded in England as a constant quarrel between North and South, but of no immediate danger to the Union.

internal evidence makes clear that the greater part of it was written before 1846, in which year Grattan retired from his post in Boston. In general he wrote scathingly of America, and as his son succeeded to the Boston consulship, Grattan probably thought it wiser to postpone publication. I have found no review of the work which treats it otherwise than as an up-to-date description of 1859. This fact and its wide sale in England in 1860-61, give the work importance as influencing British knowledge and opinions.

[2] Charles Mackay, *Life and Liberty in America: or, Sketches of a Tour in the United States and Canada in* 1857-8, one vol., New York, 1859, pp. 316-17. Mackay was at least of sufficient repute as a poet to be thought worthy of a dinner in Boston at which there were present, Longfellow, Holmes, Agassiz, Lowell, Prescott, Governor Banks, and others. He preached "hands across the seas" in his public lectures, occasionally reading his poem "John and Jonathan"—a sort of advance copy of Kipling's idea of the "White Man's Burden." Mackay's concluding verse, "John" speaking, was:

> "And I have strength for nobler work
> Than e'er my hand has done,
> And realms to rule and truths to plant
> Beyond the rising sun.
> Take you the West and I the East;
> We'll spread ourselves abroad,
> With trade and spade and wholesome laws,
> And faith in man and God."

Each outbreak of violent American controversy produced a British comment sympathetic with the North. The turmoil preceding and following the election of Lincoln in 1860, on the platform of " no extension of slavery," was very generally noted by the British press and public, as a sign favourable to the cause of anti-slavery, but with no understanding that Southern threat would at last be realized in definite action. Herbert Spencer, in a letter of May 15, 1862, to his American friend, Yeomans, wrote, " As far as I had the means of judging, the feeling here was at first *very decidedly* on the side of the North . . ." [1] The British metropolitan press, in nearly every issue of which for at least two years after December, 1860, there appeared news items and editorial comment on the American crisis, was at first nearly unanimous in condemning the South.[2] The *Times*, with accustomed vigour, led the field. On November 21, 1860, it stated:

> " When we read the speech of Mr. Lincoln on the subject of Slavery and consider the extreme moderation of the sentiments it expresses, the allowance that is made for the situation, for the feelings, for the prejudices, of the South; when we see how entirely he narrows his opposition to the single point of the admission of Slavery into the Territories, we cannot help being forcibly struck by the absurdity of breaking up a vast and glorious confederacy like that of the United States from the dread and anger inspired by the election of such a man to the office of Chief Magistrate. . . . We rejoice, on higher and surer grounds, that it [the election] has ended in the return of Mr. Lincoln. We are glad to think that the march of Slavery, and the domineering tone which its advocates were beginning to assume over Freedom, has been at length arrested and silenced. We rejoice that a vast community of our own race has at

[1] Duncan, *Life and Letters of Herbert Spencer*, Vol. I, p. 140.

[2] R. C. Hamilton, Manuscript Chapters and Notes on " The English Press and the Civil War." Mr. Hamilton was at work on this subject, as a graduate student, but left Stanford University before completing his thesis. His notes have been of considerable value, both for suggested citations from the English Press, and for points of interpretation.

length given an authoritative expression to sentiments which are entertained by everyone in this country. We trust to see the American Government employed in tasks more worthy of a State founded on the doctrines of liberty and equality than the invention of shifts and devices to perpetuate servitude; and we hear in this great protest of American freedom the tardy echo of those humane doctrines to which England has so long become a convert."

Other leading journals, though with less of patronizing self-complacency, struck the same note as the *Times*. The *Economist* attributed Lincoln's election to a shift in the sympathies of the " lower orders " in the electorate who had now deserted their former leaders, the slave-owning aristocracy of the South, and allied themselves with the refined and wise leaders of the North. Lincoln, it argued, was not an extremist in any sense. His plan of action lay within the limits of statesmanlike moderation.[1] The *Saturday Review* was less sure that England should rejoice with the North. British self-esteem had suffered some hard blows at the hands of the Democratic party in America, but at least England knew where Democrats stood, and could count on no more discourtesy or injustice than that inflicted in the past. The Republican party, however, had no policy, except that of its leader, Seward, and from him might be expected extreme insolence.[2] This was a very early judgment of Seward, and one upon which the *Saturday Review* preened itself later, as wholly justified. The *Spectator*, the only one of the four journals thus far considered which ultimately remained constant in advocacy of the Northern cause, was at first lukewarm in comment, regarding the 1860 election, while fought on the slavery issue, as in reality a mere contest between parties for political power.[3]

[1] *Economist*, November 24, 1860. Six months later, however, the *Economist* pictured Lincoln as merely an unknown " sectionalist," with no evidence of statesmanship—*Economist*, June 1, 1861.

[2] *Saturday Review*, November 24, 1860.

[3] *Spectator*, November 24, 1860.

Such was the initial attitude of the English press. Each press issue for several weeks harped on the same chord, though sounding varying notes. If the South really means forcible resistance, said the *Times*, it is doomed to quick suppression. "A few hundred thousand slave-owners, trembling nightly with visions of murder and pillage, backed by a dissolute population of "poor whites," are no match for the hardy and resolute populations of the Free States," [1] and if the South hoped for foreign aid it should be undeceived promptly: "Can any sane man believe that England and France will consent, as is now suggested, to stultify the policy of half a century for the sake of an extended cotton trade, and to purchase the favours of Charleston and Milledgeville by recognizing what has been called 'the isothermal law, which impels African labour toward the tropics' on the other side of the Atlantic?" [2] Moreover all Americans ought to understand clearly that British respect for the United States "was not due to the attitude of the South with its ruffian demonstrations in Congress. . . . All that is noble and venerable in the United States is associated with its Federal Constitution." [3]

Did the British public hold these same opinions? There is no direct evidence available in sufficient quantity in autobiography or letters upon which to base a conclusion. Such works are silent on the struggle in America for the first few months and presumably public opinion, less informed even than the press, received its impressions from the journals customarily read. Both at this period and all through the war, also, it should be remembered, clearly, that most newspapers, all the reviews, in fact nearly all vehicles of British expression, were in the early 'sixties "in the hands of the educated classes, and these educated

[1] The *Times*, November 26, 1860.
[2] *Ibid.*, November 29, 1860.
[3] *Ibid.*

classes corresponded closely with the privileged classes." The more democratic element of British Society lacked any adequate press representation of its opinions. "This body could express itself by such comparatively crude methods as public meetings and demonstrations, but it was hampered in literary and political expression."[1] The opinion of the press was then, presumably, the opinion of the majority of the educated British public.

Thus British comment on America took the form, at first of moralizations, now severe toward the South, now indifferent, yet very generally asserting the essential justice of the Northern position. But it was early evident that the newspapers, one and all, were quite unprepared for the determined front soon put up by South Carolina and other Southern States. Surprised by the violence of Southern declarations, the only explanation found by the British press was that political control had been seized by the uneducated and lawless element. The *Times* characterized this element of the South as in a state of deplorable ignorance comparable with that of the Irish peasantry, a "poor, proud, lazy, excitable and violent class, ever ready with knife and revolver."[2] The fate of the Union, according to the *Saturday Review*, was in the hands of the "most ignorant, most unscrupulous, and most lawless [class] in the world—the poor or mean whites of the Slave States."[3] Like judgments were expressed by the *Economist* and, more mildly, by the *Spectator*.[4] Subsequently some of these journals found difficulty in this connection, in swinging round the circle to expressions of admiration for the wise and powerful aristocracy of the South; but all, especially

[1] R. L. Duffus, "Contemporary English Popular Opinion on the American Civil War," p. 2. A thesis presented in fulfilment of the requirements for the degree of Master of Arts, Stanford University, 1911. This thesis is in manuscript. It is a valuable study of the Reviews and of the writings of men of letters. Hereafter cited as Duffus "English Opinion."

[2] The *Times*, January 12, 1861.

[3] *Saturday Review*, January 12, 1861.

[4] *Economist*, December 8, 1860. *Spectator*, January 19, 1861.

the *Times*, were skilled by long practice in the journalistic art of facing about while claiming perfect consistency. In denial of a Southern right of secession, also, they were nearly a unit,[1] though the *Saturday Review* argued the case for the South, making a pointed parallel between the present situation and that of the American Colonies in seceding from England.[2]

The quotations thus far made exhibit for the leading papers an initial confusion and ignorance difficult to harmonize with the theory of an "enlightened press." The Reviews, by the conditions of publication, came into action more slowly and during 1860 there appeared but one article, in the *Edinburgh Review*, giving any adequate idea of what was really taking place in America.[3] The lesser British papers generally followed the tone of the leading journals, but without either great interest or much acumen. In truth the depth of British newspaper ignorance, considering their positiveness of utterance, appears utterly astonishing if regarded from the view-point of modern historical knowledge. But is this, after all, a matter for surprise? Was there not equal confusion at least, possibly equal ignorance, in America itself, certainly among the press and people of the Northern States? They also had come by experience to discount Southern threats, and were slow to understand that the great conflict of ideals and interests was at last begun.

The British press both influenced and reflected educated class opinion, and, in some degree, official opinion as well. Lord John Russell at the Foreign Office and Lord Lyons, British Minister at Washington, were exchanging anxious letters, and the latter was sending home reports remarkable for their clear analysis of the American controversy. Yet even he was slow to appreciate the inevitability of secession.

[1] *Spectator*, December 1, 1860. *Times*, January 29, 1861. *Economist*, May 25, 1861.
[2] *Saturday Review*, January 19, 1861.
[3] *Edinburgh Review*, Vol. 112, p. 545.

LORD LYONS

(From a photograph taken at Boston, U.S.A., in 1860)
(From Lord Newton's "Life of Lord Lyons," by kind permission)

Other officials, especially those in minor positions in the United States, showed a lack of grasp of the situation similar to that of the press. An amusing illustration of this, furnishing a far-fetched view of causes, is supplied in a letter of February 2, 1860, from Consul Bunch, at Charleston, S.C., to Lord Lyons, the British Minister at Washington.[1] Bunch wrote describing a dinner which had been given the evening before, by the Jockey Club of Charleston. Being called upon for a speech, he had alluded to the prizes of the Turf at home, and had referred especially to the Plates run for the various British colonies. Continuing, he said:

> "'. . . I cannot help calling your attention to the great loss you yourselves have suffered by ceasing to be a Colonial Dependency of Great Britain, as I am sure that if you had continued to be so, the Queen would have had great pleasure in sending you some Plates too.'
>
> "Of course this was meant for the broadest sort of joke, calculated to raise a laugh after dinner, but to my amazement, the company chose to take me literally, and applauded for about ten minutes—in fact I could not go on for some time."

Bunch evidently hardly knew what to make of this demonstration. He could with difficulty believe that South Carolina wished to be re-annexed as a colony of Great Britain, and comments upon the episode in a somewhat humorous vein. Nevertheless in concluding his letter, he solemnly assures Lord Lyons that

> ". . . The Jockey Club is composed of the 'best people' of South Carolina—rich planters and the like. It represents, therefore, the 'gentlemanly interest' and not a bit of universal suffrage."

It would be idle to assume that either in South Carolina or in England there was, in February, 1860, any serious thought of a resumption of colonial relations, though

[1] Lyons Papers.

W. H. Russell, correspondent of the *Times*, reported in the spring, 1861, that he frequently heard the same sentiment in the South.[1] For general official England, as for the press, the truth is that up to the time of the secession of South Carolina no one really believed that a final rupture was about to take place between North and South. When, on December 20, 1860, that State in solemn convention declared the dissolution " of the Union now existing between South Carolina and the other States, under the name of the ' United States of America,' " and when it was understood that other Southern States would soon follow this example, British opinion believed and hoped that the rupture would be accomplished peaceably. Until it became clear that war

[1] Russell, *My Diary North and South*, Boston, 1863, p. 134. " Then cropped out again the expression of regret for the rebellion of 1776, and the desire that if it came to the worst, England would receive back her erring children, or give them a prince under whom they could secure a monarchical form of government. There is no doubt about the earnestness with which these things are said." Russell's *Diary* is largely a condensation of his letters to the *Times*. In the letter of April 30, 1861 (published May 28), he dilates to the extent of a column on the yearning of South Carolina for a restoration of colonial relations. But Consul Bunch on December 14, 1860, reported a Charleston sentiment very different from that of the Jockey Club in February. He wrote to Lyons:

> " The church bells are ringing like mad in celebration of a newly revived festival, called ' Evacuation Day,' being the *nefastus ille dies* in which the bloody Britishers left Charleston 78 years ago. It has fallen into utter disuse for about 50 years, but is now suddenly resuscitated apropos *de* nothing at all."

In this same letter Bunch described a Southern patriotic demonstration. Returning to his home one evening, he met a military company, which from curiosity he followed, and which

> " drew up in front of the residence of a young lawyer of my friends, after performing in whose honour, through the medium of a very brassy band, a Secession Schottische or Palmetto Polka, it clamorously demanded his presence. After a very brief interval he appeared, and altho' he is in private life an agreeable and moderately sensible young man, he succeeded, to my mind at any rate, in making most successfully, what Mr. Anthony Weller calls ' an Egyptian Mummy of his self.' The amount of balderdash and rubbish which he evacuated (*dia stomatos*) about mounting the deadly breach, falling back into the arms of his comrades and going off generally in a blaze of melodramatic fireworks, really made me so unhappy that I lost my night's rest. So soon as the speech was over the company was invited into the house to ' pour a libation to the holy cause '—in the vernacular, to take a drink and spit on the floor."

Evidently Southern eloquence was not tolerable to the ears of the British consul. Or was it the din of the church bells rather than the clamour of the orator, that offended him? (*Lyons Papers.*)

would ensue, the South was still damned by the press as seeking the preservation of an evil institution. Slavery was even more vigorously asserted as the ignoble and sole cause. In the number for April, 1861, the *Edinburgh Review* attributed the whole difficulty to slavery, asserted that British sympathy would be with the anti-slavery party, yet advanced the theory that the very dissolution of the Union would hasten the ultimate extinction of slavery since economic competition with a neighbouring free state, the North, would compel the South itself to abandon its beloved "domestic institution." [1]

Upon receipt of the news from South Carolina, the *Times*, in a long and carefully worded editorial, took up one by one the alleged causes of secession, dismissed them as inadequate, and concluded, ". . . we cannot disguise from ourselves that, apart from all political complications, there is a right and a wrong in this question, and that the right belongs, with all its advantages, to the States of the North."[2] Three days later it asserted, "The North is for freedom of discussion, the South represses freedom of discussion with the tar-brush and the pine-fagot." And again, on January 10, "The Southern States expected sympathy for their undertaking from the public opinion of this country. The tone of the press has already done much to undeceive them. . . ."

In general both the metropolitan and the provincial press expressed similar sentiments, though there were exceptions. The *Dublin News* published with approval a long communication addressed to Irishmen at home and abroad: ". . . there is no power on earth or in heaven which can keep in peace this unholy co-partnership. . . . I hope . . . that the North will quietly permit the South to retire from the confederacy and bear alone the odium of

[1] *Edinburgh Review*, Vol. 113, p. 555.
[2] The *Times*, January 4, 1861.

all mankind. . . ." [1] The *Saturday Review* thought that deeper than declared differences lay the ruling social structure of the South which now visioned a re-opening of the African Slave Trade, and the occupation by slavery of the whole southern portion of North America. " A more ignoble basis for a great Confederacy it is impossible to conceive, nor one in the long run more precarious. . . . Assuredly it will be the Northern Confederacy, based on principles of freedom, with a policy untainted by crime, with a free working-class of white men, that will be the one to go on and prosper and become the leader of the New World." [2] The *London Chronicle* was vigorous in denunciation. " No country on the globe produces a blackguardism, a cowardice or a treachery, so consummate as that of the negro-driving States of the new Southern Confederacy "—a bit of editorial blackguardism in itself.[3] The *London Review* more moderately stigmatized slavery as the cause, but was lukewarm in praise of Northern idealisms, regarding the whole matter as one of diverging economic systems and in any case as inevitably resulting in dissolution of the Union at some time. The inevitable might as well come now as later and would result in benefit to both sections as well as to the world fearing the monstrous empire of power that had grown up in America.[4]

The great bulk of early expressions by the British press was, in truth, definitely antagonistic to the South, and this was particularly true of the provincial press. Garrison's *Liberator*, advocating extreme abolition action, had long

[1] Letter to *Dublin News*, dated January 26, 1861. Cited in *The Liberator*, March 1, 1861. Garrison, editor of *The Liberator*, was then earnest in advocating " letting the South go in peace " as a good riddance.

[2] *Saturday Review*, March 2, 1861, p. 216.

[3] *London Chronicle*, March 14, 1861. Cited in *The Liberator*, April 12, 1861.

[4] *London Review*, April 20, 1861. Cited in Littel's *Living Age*, Vol. LXIX, p. 495. The editor of the *Review* was a Dr. Mackay, but I have been unable to identify him, as might seem natural from his opinions, as the Mackay previously quoted (p. 37) who was later New York correspondent of the *Times*.

made a practice of presenting excerpts from British newspapers, speeches and sermons in support of its cause. In 1860 there were thirty-nine such citations; in the first months of 1861 many more, all condemning slavery and the South. For the most part these citations represented a comparatively unknown and uninfluential section, both in politics and literature, of the British people. Matthew Arnold was among the first of men of letters to record his faith that secession was final and, as he hoped, an excellent thing for the North, looking to the purity of race and the opportunity for unhampered advance.[1] If English writers were in any way influenced by their correspondents in the United States they may, indeed, have well been in doubt as to the origin and prospects of the American quarrel. Hawthorne, but recently at home again after seven years' consulship in England, was writing that abolition was not a Northern object in the war just begun. Whittier wrote to *his* English friends that slavery, and slavery alone, was the basic issue.[2] But literary Britain was slow to express itself save in the Reviews. These, representing varying shades of British upper-class opinion and presenting articles presumably more profound than the newspaper editorials, frequently offered more recondite origins of the American crisis. The *Quarterly Review*, organ of extreme Conservatism, in its first article, dwelt upon the failure of democratic institutions, a topic not here treated at length since it will be dealt with in a separate chapter as deserving special study. The *Quarterly* is also the first to advance the argument that the protective tariff, advocated by the North, was a real cause for Southern secession;[3] an idea made much of later, by the elements unfriendly to the North,

[1] Matthew Arnold, *Letters*, Vol. I., p. 150. Letter to Mrs. Forster, January 28, 1861.

[2] Julian Hawthorne, *Nathaniel Hawthorne and his Wife*, Vol. II, pp. 271-78. *Life and Letters of John Greenleaf Whittier*, Vol. II, pp. 439 *seq.*

[3] *Quarterly Review*, Vol. 110, p. 282. July, 1861.

but not hitherto advanced. In these first issues of the Reviews for 1861, there was frequently put forth the "Southern gentlemen" theory.

> "At a distance of three thousand miles, the Southern planters did, indeed, bear a resemblance to the English country gentleman which led to a feeling of kinship and sympathy with him on the part of those in England who represented the old traditions of landed gentility. This 'Southern gentleman' theory, containing as it did an undeniable element of truth, is much harped upon by certain of the reviewers, and one can easily conceive of its popularity in the London Clubs. . . . The 'American,' so familiar to British readers, during the first half of the century, through the eyes of such travellers as Mrs. Trollope, now becomes the 'Yankee,' and is located north of Mason and Dixon's line."[1]

Such portrayal was not characteristic of all Reviews, rather of the Tory organs alone, and the Radical *Westminster* took pains to deny the truth of the picture, asserting again and again that the vital and sole cause of the conflict was slavery. Previous articles are summed up in that of October, 1863, as a profession of the *Westminster's* opinion throughout: "... the South are fighting for liberty to found a Slave Power. Should it prove successful, truer devil's work, if we may use the metaphor, will rarely have been done."[2]

Fortunate would it have been for the Northern cause, if British opinion generally sympathetic at first on anti-slavery grounds, had not soon found cause to doubt the just basis of its sympathy, from the trend of events in America. Lincoln had been elected on a platform opposing the further territorial expansion of slavery. On that point the North was fairly well united. But the great majority of those who voted for Lincoln would have indignantly

[1] Duffus, "English Opinion," p. 7.
[2] *Westminster*, Vol. LXXX, p. 587.

repudiated any purpose to take active steps toward the extinction of slavery where it already existed. Lincoln understood this perfectly, and whatever his opinion about the ultimate fate of slavery if prohibited expansion, he from the first took the ground that the terms of his election constituted a mandate limiting his action. As secession developed he rightly centred his thought and effort on the preservation of the Union, a duty imposed by his election to the Presidency.

Naturally, as the crisis developed, there were many efforts at still another great compromise. Among the friends of the outgoing President, Buchanan, whose term of office would not expire until March 4, 1861, there were still some Southern leaders, like Jefferson Davis, seeking either a complete surrender to Southern will, or advantages for Southern security in case secession was accomplished. Buchanan appealed hysterically to the old-time love of the Union and to the spirit of compromise. Great congressional committees of both Senate and House of Representatives were formed seeking a solution. Crittenden for the border states between North and South, where, more than anywhere else, there was division of opinion, proposed pledges to be given to the South. Seward, long-time champion of the anti-slavery North, was active in the Senate in suggestion and intrigue seemingly intended to conciliate by concessions. Charles Francis Adams, early a Free Soiler, in the House of Representatives Committee conducted his Republican colleagues along a path apparently leading to a guarantee of slavery as then established.[1] A constitutional amendment was drafted to this effect and received Lincoln's preliminary

[1] Adams' course was bitterly criticized by his former intimate friend, Charles Sumner, but the probable purpose of Adams was, foreseeing the certainty of secession, to exhibit so strongly the arrogance and intolerance of the South as to create greater unity of Northern sentiment. This was a purpose that could not be declared and both at home and abroad his action, and that of other former anti-slavery leaders, for the moment weakened faith that the North was in earnest on the general issue of slavery.

approval. Finally Lincoln, in his inaugural address, March 4, 1861, declared:

> "I have no purpose, directly or indirectly to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so."

It should be no matter for surprise, therefore, that, as these efforts were observed in Great Britain, a note of uncertainty began to replace the earlier unanimity of opinion that the future of slavery was at stake in America. This offered an easy excuse for a switch-about of sympathy as British commercial and other interests began to be developed, and even dismayed the ardent friends of the anti-slavery North. Meanwhile the Government of Great Britain, from the very first appearance of the cloud of civil war, had focused its attention on the point of what the events in America portended to British interests and policy. This is the business of governments, and their agents would be condemned as inefficient did they neglect it. But did British governmental policy go beyond this entirely justifiable first thought for immediate British interests to the point of positive hope that England would find an advantage in the breaking up of the great American Republic? American opinion, both then and later, believed Great Britain guilty of this offence, but such criticism was tinged with the passions of the Civil War. Yet a more impartial critic, though possibly an unfriendly one because of his official position, made emphatic declaration to like effect. On January 1, 1861, Baron de Brunow, Russian Ambassador at London, reported to St. Petersburg that, "the English Government, at the bottom of its heart, desires the separation of North America into two republics, which will watch each other jealously and counterbalance one the other. Then England, on terms of peace and commerce with both,

would have nothing to fear from either; for she would dominate them, restraining them by their rival ambitions." [1]

If, however, one turns from the surmises of foreign diplomats as to the springs of British policy, to the more authentic evidence of official and private diplomatic correspondence, there is found no proof for such accusations. Certainly neither Lord John Russell, Foreign Secretary, nor Lord Lyons, British Minister at Washington, reveal any animus against the United States. Considering his many personal ties with leaders of both factions Lyons, from the first, reported events with wonderful impartiality, and great clarity. On November 12, 1860, he sent to Russell a full description of the clamour raised in the South over the election of Lincoln, enumerated the resignation of Federal officials (calling these "ill-judged measures"), and expressed the opinion that Lincoln was no Radical. He hoped the storm would blow over without damage to the Union.[2] Russell, for his part, was prompt to instruct Lyons and the British consuls not "to seem to favour one party rather than the other," and not to express opinions or to give advice, unless asked for by the State Governments, in which case the advice should be against all violent action as tending toward civil war.[3]

This bare statement may indeed be interpreted as indicating an eager readiness on Russell's part to accept as final the dissolution of the Union, but such an interpretation is not borne out by a reading of his instructions. Rather he was perplexed, and anxious that British agents should not gain the ill-will of either American faction, an ill-will that would be alike detrimental in the future, whether the Union remained unbroken or was destroyed.

[1] *Services rendered by Russia to the American People during the War of the Rebellion*, Petersburg, 1904. p. 5.

[2] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV, "Correspondence on Civil War in the United States," No. 1.

[3] *Ibid.*, No. 6. Russell to Lyons, December 26, 1860.

Strict instructions against offering advice are therefore repeated frequently.[1] Meanwhile the first concrete problem requiring British action came from the seizure by South Carolina of the Federal customs house at the port of Charleston, and the attempt of the State authorities to collect port dues customarily paid to Federal officials. British shipowners appealed to Consul Bunch for instructions, he to Lyons, and the latter to the American Secretary of State, Judge Black. This was on December 31, 1860, while Buchanan was still President, and Black's answer was evasive, though asserting that the United States must technically regard the events in South Carolina as acts of violent rebellion.[2] Black refused to state what action would be taken if Bunch advised British shipowners to pay, but a way out of the embarrassment was found by advising such payment to State authorities "under protest" as done "under compulsion." To one of his letters to Bunch on this topic, Lyons appended an expression indicative of his own early attitude. "The domestic slavery of the South is a bitter pill which it will be hard enough to get the English to swallow. But if the Slave Trade is to be added to the dose, the least squeamish British stomach will reject it."[3]

Nevertheless the vigorous action of South Carolina, soon followed by other Southern States, made a deep impression on Russell, especially when compared with the uncertainty and irresolution manifested in the attempted compromise measures of Northern statesmen. In a private letter to Lyons, January 10, 1861, he wrote "I do not see how the United States can be cobbled together again by any compromise. . . . I cannot see any mode of reconciling such

[1] *Ibid.* Russell to Lyons, No. 9, January 5, 1861, and No. 17, February 20, 1861.

[2] *Parliamentary Papers*, 1861, *Lords*, Vol. XVIII. Correspondence with U.S. Government respecting suspension of Federal Customs House at the Port of Charleston. Nos. 1 and 3.

[3] Lyons Papers. Lyons to Bunch, December 12, 1860.

parties as these. The best thing *now* would be that the right to secede should be acknowledged. . . . I hope sensible men will take this view. . . . But above all I hope no force will be used." [1] And again twelve days later, "I suppose the break-up of the Union is now inevitable." [2] To Russell, as to most foreign observers, it seemed that if the South with its great wealth, its enormous extent of territory, and its five and one-half millions of population, were determined to leave the Union, no force whatever could compel a return. History failed to record any revolution on so large a scale which had not succeeded. His desire, therefore, was that the North would yield to the inevitable, and would not plunge into a useless civil war disastrous alike to the prosperity of America and of foreign nations. Russell's first hope was that the South would forgo secession; his second, this accomplished, that there would be no war, and in this sense he instructed Lyons. The latter, less expectant of peaceful separation, and more aware of the latent power of the North, maintained throughout his entire service at Washington that there was at least a *chance* that the North could subdue the South by might of arms,[3] but he also, looking to British interests, saw his early duty, before war broke, in cautious suggestions against forcible Northern action. Thus from January to March,

[1] *Ibid.* The same day official instructions were sent permitting Bunch to remain at Charleston, but directing him, if asked to recognize South Carolina, to refer the matter to England. F.O., Am., Vol. 754, No. 6. Russell to Lyons, January 10, 1861.

[2] Lyons Papers. Russell to Lyons, January 22, 1861.

[3] This view was not shared by Lyons' colleagues at Washington. The Russian Minister, Stoeckl, early declared the Union permanently destroyed, and regretting the fact, yet hoped the North would soon accept the inevitable and seek close co-operation with the South in commerce and in foreign relations. This view was repeated by him many times and most emphatically as late as the first month of 1863. (Russian Archives, Stoeckl to F.O., January 29-February 10, 1863. No. 342.) It was not until September, 1863, that Stoeckl ventured to hope for a Northern re-conquest of the South. I am indebted to Dr. Frank A. Golder, of Stanford University, for the use of his notes and transcripts covering all of the Russian diplomatic correspondence with the United States, 1860-1865. In the occasional use made of this material the English translation is mine.

1861, British effort and indirect advice were based on the hope that British trade interests might escape the tribulations inevitable from a civil conflict in America. Beyond that point there was no grasp of the complications likely to arise in case of war, and no clear formulation of British policy.[1]

In fact up to the middle of March, 1861, both public and official British opinion discounted armed conflict, or at least any determined Northern effort to recover the South. Early British attitude was, therefore, based on a misconception. As this became clear, public opinion began to break from a united humanitarian pro-Northern sentiment and to show, in some quarters, quite another face. Even as early as January the *Economist* expressed wonder that the Northern States had not availed themselves gladly of the chance to " shake off such an incubus, and to purify themselves of such a stain," [2] and a month later professed to believe that Great Britain would willingly permit the North to secure compensation for loss of territory by annexing Canada—provided the Canadians themselves desired it. This, it was argued, would directly benefit England herself by cutting down military expenditures.[3] The *London Press* indulged in similar speculation, though from the angle of a Canadian annexation of the Northern States, whose more sober citizens must by now be weary of the sham of American democracy, and disgusted with the rowdyism of political elections, which " combine the morals of a horse race, the manners of a dog fight, the passions of a tap-room, and the emotions of a gambling

[1] Stoeckl reported that at a dinner with Lyons, at which he, Mercier and Seward were the guests, Seward had asserted that if Civil War came all foreign commerce with the South would be interrupted. To this Lyons protested that England could not get along without cotton and that she would secure it in one way or another. Seward made no reply. (*Ibid.*, March 25-April 9, 1861, No. 810.)

[2] *Economist*, January 12, 1861.

[3] *Ibid.*, February 23, 1861.

house." [1] Probably such suggestions had little real purpose or meaning at the moment, but it is interesting that this idea of a "compensation" in Canada should have been voiced thus early. Even in the United States the same thought had occurred to a few political leaders. Charles Sumner held it, though too wise, politically, to advance it in the face of the growing Northern determination to preserve the Union. It lay at the bottom of his increasing bitterness toward his old friend Charles Francis Adams, now busy in schemes intended, apparently, to restore the Union by compromise, and it led Sumner to hope for appointment as Minister to England.[2]

The chief organ of British upper-class opinion, the *Times*, was one of the first to begin the process of "face about," as civil war in America seemed imminent.[3] Viewed from the later attitude of the *Times*, the earlier expressions of that paper, and in truth of many British journals, seem merely the customary platitudinous British holding up of horrified hands at American slavery. On January 19, 1861, a strong editorial still proclaimed the folly of South Carolina, as acting "without law, without justice," but displayed a real dismay at the possible consequences of war to British trade and commerce. On January 22, the *Times* reprinted an article from the *Economist*, on a probable cessation of cotton supply and editorially professed great alarm, even advocating an early recognition of the Southern confederacy if needed to maintain that supply. From this time on there

[1] *London Press*, March 23, 1861. Cited in Littell's *Living Age*, Vol. LXIX, p. 438.

[2] Before Adams' selection as Minister to England was decided upon, Sumner's Massachusetts friends were urging him for the place. Longfellow was active in this interest. *H. W. Longfellow*, by Samuel Longfellow, Vol. II, pp. 412-13.

[3] John Bright later declared "his conviction that the leading journal had not published one fair, honourable, or friendly article toward the States since Lincoln's accession to office." Dasent, *Life of Delane*, Vol. II, p. 38. The time is approximately correct, but the shift in policy began earlier, when it came to be feared that the North would not submit to peaceable secession.

is no further note in the *Times* of the righteousness of the Northern cause; but while it is still asserted that war would be folly, the strength of the South, its superiority as a military nation, are depicted.

A long break of nearly six weeks follows with little editorial comment. Soon the correspondence from New York, previously written by Bancroft Davis, and extremely favourable to the Northern cause, was discontinued. W. H. Russell, the famous war correspondent of the Crimea, was summoned to London and, according to his own story, upon being given papers, clippings, and correspondence (largely articles from the *New York Herald*) supporting the right of the South to secede, hastily took his departure for America to report upon the situation.[1] He sailed from Queenstown on March 3, and arrived in New York on March 16. At last on March 12, the *Times* took positive ground in favour of the justice of the Southern cause.

> "No treachery has been at work to produce the disruption, and the principles avowed are such as to command the sympathies of every free and enlightened people. Such are the widely different auspices under which the two rival Republics start into existence. But mankind will not ultimately judge these things by sympathies and antipathies; they will be greatly swayed by their own interest, and the two Republics must be weighed, not by their professions or their previous history, but by the conduct they pursue and the position they maintain among the Powers of the earth. Their internal institutions are their own affair; their financial and political arrangements are emphatically ours. Brazil is a slave-holding Empire, but by its good faith and good conduct it has contrived to establish for itself a place in the hierarchy of nations far superior to that of many Powers which are free from this domestic contamination. If the Northern Confederacy of America evinces a determination to act in a narrow, exclusive, and unsocial spirit, while its Southern com-

[1] Bigelow, *Retrospections*, Vol. I, pp. 344-45.

petitor extends the hand of good fellowship to all mankind, with the exception of its own bondsmen, we must not be surprised to see the North, in spite of the goodness of its cause and the great negative merit of the absence of Slavery, sink into a secondary position, and lose the sympathy and regard of mankind."

This to Northern view, was a sad relapse from that high moral tone earlier addressed to the South notifying slaveholders that England would not "stultify the policy of half a century for the sake of an extended cotton trade." [1]

The *Economist*, with more consistency, still reported the violence and recklessness of the South, yet in logical argument proved to its own satisfaction the impossibility of Northern reconquest, and urged a peaceful separation.[2] The *Spectator*, even though pro-Northern, had at first small hope of reunion by force, and offered consolation in the thought that there would still remain a United States of America "strong, powerful and free; all the stronger for the loss of the Black South."[3] In short from all quarters the public press, whatever its sympathy, united in decrying war as a useless effort doomed to failure if undertaken in the hope of restoring the Union. Such public opinion, however, was not necessarily governmental opinion. The latter was indeed more slow to make up its mind and more considerate in expressing itself. When it became clear that in all probability the North would fight, there was still no conception, any more than in the United States itself, of the duration and intensity of the conflict. Indeed, Russell yet hoped, as late as the end of January, that no protracted war would occur. Nevertheless he was compelled to face the situation in its relation to British commerce.

On February 16, Russell addressed Lyons on that aspect of possible war which would at once call for a determination

[1] See *ante*, p. 40.
[2] *Economist*, March 2, 1861.
[3] *Spectator*, March 16, 1861.

of British policy. "Above all things," he wrote, "endeavour to prevent a blockade of the Southern coast. It would produce misery, discord, and enmity incalculable." [1] Within a week Forster, a thorough friend of the North throughout the whole war, was interrogating the Ministry in the House of Commons in regard to the situation at Charleston, and expressing the hope that England would not in any way attempt to interfere.[2] This was the first reference in Parliament, its sittings but just renewed after the long vacation, to the American conflict, but British commercial interests were being forced to a keener attention, and already men in many circles were asking themselves what should be the proper governmental attitude; how soon this new Southern Confederacy could justly claim European recognition; how far and how fast European governments ought to go in acknowledging such a claim; what ought to be the proper policy and position of a neutral power; whether, indeed, a declaration of neutrality ought to be issued.

With these questions rapidly coming to the front, it became important for British statesmen to know something about the leaders in this new Southern movement, the attitude of the people in general, and the purposes of the

[1] Lyons Papers.

[2] Hansard, 3rd. Ser., CLXI, p. 814. February 22, 1861. William E. Forster was of Quaker descent and had early taken part in public meetings called to express humanitarian sentiment. From 1850 on he was an acceptable public speaker in all matters Liberal, as free trade, social reform, and anti-slavery. Elected to Parliament in 1859 and again in 1861 from Bradford, where he was engaged in business as a woollen manufacturer, he sought, after the fashion of new Members, a cause to represent and found it in championship of the North. Having great native ability, as shown by his later distinguished career, it was the good fortune of the United States thus to enlist so eager a champion. Forster and John Bright were the two leading "friends of the North" in Parliament. The latter already had established reputation, but was more influential out of Parliament than in it. Forster, with a reputation to make, showed skill in debate, and soon achieved prestige for himself and his American cause. Henry Adams, son and private secretary of the American Minister to England, once told the writer that he regarded Forster's services as, on the whole, the most valuable rendered by any Englishman to the North.

new Government. Here, unfortunately, Lord Lyons could be no guide. The consuls in the South, however, were in a position to give their impressions. On February 28, 1861, Bunch wrote to Russell, describing the election of Davis and Stephens,[1] to the Presidency and Vice-Presidency of the Confederacy, and giving a personal characterization of many members of the Government. He was rather caustic. Davis, he said, was the only *able* man, and he, unfortunately, was a confirmed " manifest destiny " leader, so much so in fact that Bunch prophesied a renewal of filibustering when once the North had acquiesced in a Southern State and the fear of the North had passed. Bunch had no faith in any future greatness of the South, asserting that it would be a State despised among nations for its maintenance of slavery, and that it could not hope for any encouragement or sympathy from the humane nations of Europe ; in fact, his entire characterization was wholly damning to the South. Yet it is to be noted that he never for a moment questioned that the South had already actually established its independence. This he seems to take for granted. Thus again, and from another quarter, there was presented the double difficulty of England in regard to the Civil War—the difficulty of reconciling sentiments of humanity long preached by Great Britain, with her commercial interests and her certainty that a new State was being born.

For men in the Northern Government Lyons was in a position to report, but up to the end of January he had not written in any great detail with regard to the new administration and its make-up, though on January 7, he had informed Russell that Seward would be the Secretary of State and had expressed the fear that with regard to Great Britain he would be " a dangerous Foreign Minister." [2] Lincoln was still in Illinois and the constituency of the

[1] F.O., Am., Vol. 780, No. 30.
[2] Newton, *Lord Lyons*, Vol. I, p. 30.

Cabinet was yet uncertain, but Seward's voice was sure to be a powerful one. Occasionally Lyons found some opportunity to talk with him. On February 4, 1861, in an official letter to Russell, Lyons reported at length an interview with Seward, in which the latter had expressed his extreme confidence that the trouble in America was but superficial and that union sentiment in the South would soon prevail.[1] In a private letter of the same date, however, Lyons asserted that Seward was indeed likely to be a very dangerous Secretary of State. He had told Lyons that if European governments interfered to protect their commerce, he could unite America by a foreign war in order to resist such interference.[2] Again, on February 12, while himself expressing hope that a solution might be found for the difficulties in America, Lyons warned Russell that there were those who would solve these difficulties by a foreign war, especially if foreign governments refused to acknowledge a United States declaration without formal blockade closing the Southern ports.[3] Writing privately, Lyons exhibited great anxiety in regard to Seward's attitude and suggested that the best safeguard would be close union by England and France, for if these two governments took exactly the same stand in regard to trade, Seward would hardly dare to carry out his threat.[4]

Lyons' letter of February 4 called out from Russell an instruction in which it was repeated that advice to either party should be withheld and a strictly neutral attitude maintained, and Russell concluded by an assertion that if the United States attempted a jingo policy toward England, the British Cabinet would be tolerant because of its feeling of strength but that "blustering demonstrations" must

[1] F.O., Am., Vol. 760, No. 40.
[2] Russell Papers. Lyons to Russell, February 4, 1861.
[3] F.O., Am., Vol. 760, No. 59.
[4] Russell Papers. Lyons to Russell, February 12, 1861.

not be carried too far.[1] Even as early as December, 1860, Russell had foreseen the possibility of what he considered a mere jingo policy for home effect in America. Now, however, upon the repeated expression of fears from Lyons that this might be more than mere "bunkum," Russell began to instruct Lyons not to permit English dignity to be infringed, while at the same time desiring him to be cautious against stirring American antagonism. Lyons' earlier disquietude seems, indeed, to have passed away for a time, and on February 26 he wrote that everyone was waiting to see what Lincoln would do when inaugurated, that there was still hope of compromise, and that in his own view this was still possible. In this letter the tone is more important than the matter, and so far as Lyons is concerned the tone is all distinctly hopeful, all favourable to a resumption of normal relations between the North and South. He at least had no hope of disruption, and no happiness in it.[2]

Before this communication could reach England Russell had thoroughly awakened to the seriousness of the American situation in relation to British foreign trade. On March 9, writing privately to Lyons, he stated, "I hope you are

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States," No. 17. Russell to Lyons, February 20, 1861.

[2] F.O., Am., Vol. 761, No. 78. Received March 11. It is curious that in the first period of the war Lyons made no extended characterization of Lincoln. Probably his contacts with the new President were insufficient to justify it. The first record of personal impressions was that made by W. H. Russell and later printed in his "Diary" but not reproduced in his letters to the *Times*. Russell was taken to the White House. "Soon afterwards there entered, with a shambling, loose, irregular, almost unsteady gait, a tall, lank, lean man, considerably over six feet in height, with stooping shoulders, long pendulous arms, terminating in hands of extraordinary dimensions, which, however, were far exceeded in proportion by his feet. . . . The impression produced by the size of his extremities, and by his flapping and wide-projecting ears, may be removed by the appearance of kindliness, sagacity, and awkward bonhomie of his face . . . eyes dark, full, and deeply set, are penetrating, but full of an expression which almost amounts to tenderness. . . . A person who met Mr. Lincoln in the street would not take him to be what—according to usages of European society—is called a 'gentleman' . . . but, at the same time, it would not be possible for the most indifferent observer to pass him in the street without notice."—*My Diary*, I, pp. 37-8.

getting on well with the new President. If he blockades the Southern ports we shall be in a difficulty. But according to all American doctrine it must be an actual blockade kept up by an efficient force." [1] Thus, before any act had really occurred in America, the matter of a blockade was occupying the attention of British statesmen. One difficulty at the time was that there was no one in England qualified to speak for the new administration at Washington. Dallas, the American Minister appointed under the Buchanan administration, while, unlike some other diplomatic representatives abroad, faithful to the cause of the United States, was nevertheless not wholly trusted by Lincoln or by Seward, and was thus handicapped in representing to Russell American conditions or intentions. Indeed he had very little communication with Russell. Adams' nomination to England was known to Lyons on March 20, for on that day he telegraphed to Russell, " Mr. Charles Francis Adams, of Massachusetts, is appointed Minister in London. I think it a very good appointment." [2] This news was received in London on April 2, but over six weeks were yet to elapse before Adams reached his post. The appointment of Adams, however, seemed to Lyons a matter of congratulation in his hope that no vicious anti-British policy would be indulged in by Seward. Ten days after his telegram, he wrote at length to Russell, making an excellent statement and analysis in regard to the character of Adams.

> " Mr. Adams is son of John Quincy Adams, the fifth P. of the U.S., and grandson of John Adams, the second P. The grandfather was the first Am. minister in England. The father was one of the Plenipotentiaries who signed in London the Convention of the 3rd July, 1815. Mr. Adams as a member of the H. of R. for one of the districts of Mass., acted with the less violent section of the ' Republican ' Party. During the last session of Congress he made a very

[1] Lyons Papers.
[2] F.O., Am., Vol. 761.

remarkable speech on the state of the Union, denying the reasonableness of the complaints of the Southern States, but stating his desire that every concession not inconsistent with honour and principle should be made to them. He is considered to be a man of great independence of character, and has the reputation of being very tenacious of his own opinions. In manner he is quiet and unassuming. He is a man of good fortune. Mrs. Adams comes of a considerable family in Mass., of the name of Brooks. The late wife of Mr. Edward Everett, who, as your L. is aware, has held the offices of Minister in London and Secretary of State, was her sister."[1]

Similar characterizations were being forwarded at almost the same time by Bunch in regard to the Southern Commissioners, now being despatched to London, but they were not so favourable. Mann, wrote Bunch, was the son of a " bankrupt grocer." His personal character was " not good," yet he alone of the three Commissioners appointed had had diplomatic experience. Yancey, it was stated, was an able lawyer, a stirring orator, and a recognized leader of the secession movement, but he was also extremely pro-slavery in his views, had expressed himself in favour of a renewal of the slave trade, and throughout his career had been a " manifest destiny " man. Of Rost, Bunch had no knowledge. In conclusion Bunch described the extreme confidence expressed in the South in " King Cotton," and in rather bitter criticism stated that the Southern Commissioners thought even England, the foe of slavery, would now be compelled to bend the knee and recognize the South in order to get cotton.[2]

The Northern British Consuls on the other hand took an astonishingly pro-Northern view of the whole situation. Archibald, consul at New York, wrote to Russell soon after the fall of Sumter, an exceedingly strong statement of his

[1] F.O., Am., Vol. 762. No. 122. March 30, 1861. Received April 16.
[2] F.O., Am., Vol. 780. No. 37. March 21, 1861. Received April 9.

faith in the power of the North and its fixed and unalterable determination to force the South back into the Union, his confidence in Northern success, and his belief in the justice of the Northern cause. He ventured to suggest the proper policy for England to pursue, viz., to offer immediately her services in mediation but wholly and clearly on the side of the North. He stated that if England did not feel free to offer mediation, she should at least show " such a consistent and effective demonstration of sympathy and aid " for the North as would help in shortening the war.[1] The British Consul at Boston wrote to Russell in much the same vein. So far, indeed, did these men go in expressing their sympathy with the North, that Lyons, on April 27, commented to Russell that these consuls had " taken the Northern War Fever," and that he had mildly reproved Archibald.[2]

With the inauguration of Lincoln on March 4, and the installation of Seward as Secretary of State, it was possible for Lyons to become more active in his efforts to prevent a disruption of British Trade. On March 20 he told Seward in a confidential conversation :

> " . . . If the United States determined to stop by force so important a commerce as that of Great Britain with the cotton-growing States, I could not answer for what might happen.
>
> " . . . It was, however, a matter of the greatest consequence to England to procure cheap cotton. If a considerable rise were to take place in the price of cotton, and British ships were to be at the same time excluded from the Southern Ports, an immense pressure would be put upon Her Majesty's Government to use all the means in their power to open those ports. If Her Majesty's Government felt it to be their duty to do so, they would naturally endeavour to effect their object in a manner as consistent as possible, first with their friendly feelings towards both Sections of this Country, and secondly with

[1] F.O., Am., Vol. 778, No. 26. April 24, 1861.
[2] Russell Papers.

> the recognized principles of International Law. As regards the latter point in particular, it certainly appeared that the most simple, if not the only way, would be to recognize the Southern Confederacy."[1]

This was plain speaking, and Lyons' threat of recognizing the South did not at the moment stir Seward to any retort. But five days later, on March 25, Lyons gave a dinner to Seward and a number of the foreign Ministers, and there Seward's violent talk about seizing any and all ships that tried to trade with the South, even if there was no blockade, made Lyons very anxious. As a host he diverted the conversation lest it become too acrimonious, but he himself told Seward

> ". . . . that it was really a matter so very serious that I was unwilling to discuss it; that his plan seemed to me to amount in fact to a paper blockade of the enormous extent of coast comprised in the seceding States; that the calling it an enforcement of the Revenue Laws appeared to me to increase the gravity of the measure, for it placed Foreign Powers in the dilemma of recognizing the Southern Confederation or of submitting to the interruption of their commerce."[2]

Lyons' advice to Russell was that no rebuff should be given the Southern Commissioners when they arrived in London, but that they be treated well. This, he thought, might open Seward's eyes to his folly. Still Lyons did not yet fully believe that Seward would be so vigorous as his language seemed to imply, and on March 29 he wrote that "prudent counsels" were in the ascendant, that there would be no interference with trade "*at present,*" and that a quieter tone was everywhere perceptible in Washington.[3]

From the point of view of the British Minister at

[1] Russell Papers. Lyons to Russell, March 26, 1861. Printed in Newton, *Lord Lyons*, Vol. I., p. 31.

[2] *Ibid.*

[3] Russell Papers.

Washington, the danger spot in relations between the United States and Great Britain lay in this matter of interference with trade to Southern ports. Naturally, and as in duty bound, he sought to preserve that trade. At first, indeed, he seems to have thought that even though a civil war really ensued the trade might continue uninterrupted. Certainly he bore hard and constantly on this one point, seeking to influence not only officials at Washington but the public press. Thus, in a letter to Bunch dated April 12, 1861, at a time when he knew that W. H. Russell, the *Times* correspondent, would shortly appear in Charleston, he instructed Bunch to remember that in talking to Russell he must especially impress him with the idea that any interruption of trade might and probably would result in a British recognition of the South. Lyons wrote, ". . . the *only* chance, if chance there still be of preventing an interruption of the English commerce with the S. is the fear entertained here, that it would lead to our recognizing the S.C." [1] In these words is revealed, however, as in other communications from Lyons, the fact that he was striving to prevent an interruption of trade rather than that he was convinced such interruption ought to result in a British recognition of the South. Indeed, as will be seen, when the blockade was at last declared, Lyons thought it no cause for recognition and was most tolerant of its early ineffectiveness.

While Lyons was thus keeping in close touch with Seward, the relations between England and America at London were exceedingly meagre. All that the American Minister Dallas knew of Russell's intentions is summed up in his despatches to Seward of March 22 and April 9, 1861.[2] On the former date, he gave an account of an interview with Russell in which the latter simply refused to

[1] Lyons Papers.
[2] *U.S. Messages and Documents*, 1861-2, pp. 80-81.

pledge himself against a recognition of the Confederacy; in the latter, presenting a long memorial written by Seward to all of the larger European Governments arguing in friendly spirit the cause of the North, Dallas reported that he drew from Russell merely a general expression of England's kindly feeling towards the United States and her hope that there might still be a peaceful solution. Russell again refused to make any pledge in regard to English policy. In this interview it was tacitly agreed that it would be better for Great Britain to await Adams' arrival before taking any definite action, or so at least Dallas understood Russell—though the latter later denied that any pledge of delay was given. There is no doubt, however, that in Russell's mind, whatever he might say to Dallas, the separation in America was an accomplished fact and the hope of Great Britain was centred upon the idea of a peaceful separation.

Up to and including April 1, indeed, Lyons had been reporting that no definite stand was yet being taken by the American Government. At the same time Russell was continuing his instructions to Lyons to recommend conciliation "but never to obtrude advice unasked." [1] Yet Russell was not wholly undisturbed by the reports of Seward's quarrelsome attitude, for in a private letter of the same date as the preceding, he wrote to Lyons, "I rely upon your wisdom, patience, and prudence, to steer us through the dangers of this crisis. If it can possibly be helped Mr. Seward must not be allowed to get us into a quarrel. I shall see the Southerners when they come, but not officially, and keep them at a proper distance." [2] It is an interesting query, whether this fear thus expressed of Seward's temper was not of distinct benefit to the United States at the moment when the Southern Commissioners

[1] F.O., Am., Vol. 754, No. 79. Russell to Lyons, April 6, 1861.
[2] Lyons Papers. Russell to Lyons, April 6, 1861.

arrived in England. The inference would seem to be clear, that in spite of Lyons' advice to treat them well, the effect upon Russell of Seward's attitude was to treat them coolly. Russell was indeed distinctly worried by Seward's unfriendly attitude.

In the meantime the British press and public, while still uncertain and divided as to the merits of the conflict were now substantially a unit in accepting separation as final. The *Times*, with judicial ponderosity declared: "The new nationality has been brought forth after a very short period of gestation. . . . and the Seceding States have now constituted themselves a nation . . ." [1] At the other end of the scale in newspaper "tone," the *London Press* jeered at the Northern American eagle as having "had his tail pulled out and his wings clipped—yet the meek bird now holds out his claws to be pared, with a resignation that would be degrading in the most henpecked of domestic fowls." [2] Having now veered about to expressions of confidence in the permanency of the Southern Confederacy the *Times* was also compelled to alter its opinion of Southern Statesmen. An editorial gave high praise to the Confederate Congress sitting at Montgomery, stated its personnel to be far superior to that of the Congress at Washington, yet was unable to resist making the customary reference to manners traditionally American:

> "With regard to the Congress itself, we cannot refrain from quoting the *naïve* testimony of a visitor in its favour. 'Gentlemen here [Montgomery] who have spent much time in Washington city declare that they have never witnessed such industry, care, propriety, courtesy, and pleasant Congressional action. *Not one member has appeared in his seat under the influence of liquors or wines*, not a harsh word

[1] The *Times*, February 26, 1861.

[2] *London Press*, March 30, 1861. Cited in Littell's *Living Age*, Vol. 69, p. 379.

has been uttered in debate, and all exhibit the most unflagging energy and determination.' "[1]

The most of the British press quickly followed the lead of the *Times*, forgot its previous dictum that the South was in the control of "ignorant ruffians," and dilated upon the statemanlike directness and sagacity of Southern leaders as contrasted with the stupidity of the North, displayed in its tariff policy.[2] A few journals thought that the North might eventually win in a prolonged struggle but that such a victory would be disastrous to the principles of federalism,[3] and, in any case, that this civil war was one without "a noble cause to sustain either side."[4] By May nearly all the older journals were aligned on the right of the South to secede, and on the fact of a successful secession, though still differing as to the basic causes and essential justice involved. In this same month, however, there emerged a few vigorous champions of the Northern cause and prospects. In April the *Spectator* agreed that the Great Republic was at an end;[5] in May it urged the North to fight it out with hope, asserting a chance of ultimate victory because of superior resources and the sympathy of all European nations.[6] A small newspaper of limited circulation, the *Morning Star*, organ of John Bright, had from the first championed the Northern cause. Now, as the armed conflict broke in America, it was joined by a more important paper, the *Daily News*, which set itself the task of controverting the *Times*. Moreover the *Daily News* was all the more influential in that it was not uncritical of the North, yet consistently, throughout the war, expressed sympathy for the cause and

[1] The *Times*, March 26, 1861.
[2] *Saturday Review*, May 11, 1861, pp. 465-6.
[3] *Economist*, May 4, 1861.
[4] *Examiner*, January 5 and (as quoted) April 27, 1861. Cited in Littell's *Living Age*, Vol. 68, p. 758 and Vol. 69, p. 570.
[5] *Spectator*, April 27, 1861.
[6] *Ibid.*, May 4, 1861.

principles behind the efforts of the Northern Government. Selling for a low price, twopence-halfpenny, the *Daily News*, like the *Westminster* among the Reviews, appealed to a broader and more popular constituency than the older publications, especially to a constituency not yet vocal, since still unrepresented, in Parliament.[1]

The *Daily News* was fortunate in having, after 1862, the best-informed New York correspondent writing to the London press. This was an Irishman, E. L. Godkin, who, both at home and in America, was the intimate friend of literary men, and himself, later, a great moulder of public opinion.[2] Harriet Martineau further aided the *Daily News* by contributing pro-Northern articles, and was a power in Radical circles. [3] But literary England in general, was slow to express itself with conviction, though Robert Browning, by April, 1861, was firmly determined in his pro-Northern sentiment. In August he was writing in letters of the "good cause." [4] But Browning was a rare exception and it was not until the Civil War had been under way for many months that men of talent in the non-political world were drawn to make comment or to take sides. Their influence at the outset was negligible.[5]

[1] These four publications, the *Spectator*, the *Westminster*, the *Daily News*, and the *Morning Star*, were the principal British pro-Northern organs. In addition *The Liberator* names among the lesser and provincial press the following: *Nonconformist*, *British Standard*, *Dial*, *Birmingham Post*, *Manchester Examiner*, *Newcastle Chronicle*, *Caledonian Mercury* and *Belfast Whig*. Duffus, "English Opinion," p. 40.

[2] Godkin had joined the staff of the *Daily News* in 1853. During the Crimea War he was special war correspondent. He had travelled extensively in America in the late 'fifties and was thoroughly well informed. From 1862 to 1865 his letters to the *Daily News* were of great value in encouraging the British friends of the North. In 1865 Godkin became editor of the New York *Nation*.

[3] W. E. Forster said of her, "It was Harriet Martineau alone who was keeping English opinion about America on the right side through the Press." The *Daily News* Jubilee Edition, p. 46.

[4] James, *William Wetmore Story and His Friends*, Vol. II, p. 92.

[5] Moncure D. Conway's *Autobiography* asserts that two-thirds of the English authors "espoused the Union cause, some of them actively—Professor Newman, Mill, Tom Hughes, Sir Charles Lyell, Huxley, Tyndall, Swinburne, Lord Houghton, Cairns, Fawcett, Frederic Harrison, Leslie

In spite of press utterances, or literary silence, alike indicative of a widespread conviction that Southern independence was assured, there still remained both in those circles where anti-slavery sentiment was strong, and in others more neutral in sympathy, a distaste for the newly-born State as the embodiment of a degrading institution. Lincoln's inaugural address denying an intention to interfere with slavery was a weapon for the friends of the South, but it could not wholly still that issue. Even in the *Times*, through the medium of W. H. Russell's descriptive letters, there appeared caustic criticisms. He wrote in his "Diary," "I declare that to me the more orderly, methodical, and perfect the arrangements for economizing slave labour . . . are, the more hateful and odious does slavery become," [2] and in his letter of May 8, from Montgomery, having witnessed an auction sale of slaves he stated:

> "I am neither sentimentalist nor Black Republican, nor negro worshipper, but I confess the sight caused a strange thrill through my heart. I tried in vain to make myself familiar with the fact that I could, for the sum of $975, become as absolutely the owner of that mass of blood, bones, sinew, flesh and brains as of the horse which stood by my side. There was no sophistry which could persuade me the man was not a man—he was, indeed, by no means my brother, but assuredly he was a fellow creature."[3]

This was hard printing for the *Times*, in its new advocacy of the South, and Russell's description was made much of by the *Westminster Review* and other publications that soon began to sound again the "issue" of slavery.[4] Yet the

Stephen, Allingham, the Rossettis," Vol. I, p. 406. This is probably true of ultimate, though not of initial, interest and attitude. But for many writers their published works give no clue to their opinions on the Civil War—as for example the works of Dickens, Thackeray, William Morris, or Ruskin. See Duffus, "English Opinion," p. 103.

[2] Russell, *My Diary*, I, p. 398.

[3] The *Times*, May 30, 1861.

[4] *Westminster Review*, Vol. 76, pp. 487-509, October, 1861.

Westminster itself in the same article decried the folly of the Northern attempt at reconquest. So also thought even John Bright at the moment, when expressing himself privately to friends in America.[1]

Slavery, then, still remained an issue before the British public, but of what use was it to upbraid the South, if a new world State were in fact born? And if a State in power, why not give it prompt recognition? The extreme British anti-slavery opponents feared that this was just what the Government was inclined to do, and with promptness. Here and there meetings were hurriedly called to protest against recognition.[2] This fear was unfounded. Neither in London nor at Washington was there any official inclination to hasten recognition. Lyons had held up to Seward the logic of such action, if British trade were illegally interfered with. By April 9 Lyons was aware that the so-called Radical Party in the Cabinet would probably have its way, that conciliation would no longer be attempted, and that a coercive policy toward the South was soon to follow. On that date he wrote to Russell stating that people in Washington seemed so convinced that Europe would *not* interfere to protect its trade that they were willing to venture any act embarrassing to that trade. He himself was still insisting, but with dwindling confidence, that the trade must not be interfered with under any circumstances. And in a second letter of this same date, he repeated to Russell his advice of treating the Southern Commissioners with deference. Any rebuff to them, he asserts again, will but increase the Northern confidence that they may do anything without provoking the resistance of England.[3]

[1] Bright to Sumner, September 6, 1861. Cited in Rhodes, *United States*, Vol III, p. 509.

[2] A meeting held in Edinburgh, May 9, 1861, declared that anti-slavery England ought never to recognize the South. Reported in *Liberator*, May 31, 1861.

[3] F.O., Am., Vol. 762. Nos. 141 and 142.

Like a good diplomat Lyons was merely pushing the argument for all it was worth, hoping to prevent an injury to his country, yet if that injury did come (provided it were sanctioned by the law of nations) he did not see in it an injury sufficient to warrant precipitate action by Great Britain. When indeed the Southern capture of Fort Sumter in Charleston harbour finally brought the actual clash of arms, Lyons expressed himself with regard to other elements in the struggle previously neglected in his correspondence. On April 15 describing to Russell the fall of Sumter, he stated that civil war had at last begun. The North he believed to be very much more powerful than the South, the South more " eager " and united as yet, but, he added, " the taint of slavery will render the cause of the South loathsome to the civilized world." It was true that " commercial intercourse with the cotton States is of vital importance to manufacturing nations . . . " [1] but Lyons was now facing an actual situation rather than a possible one, and as will be seen later, he soon ceased to insist that an interruption of this " commercial intercourse " gave reasonable ground for recognition of the South.

With the fall of Fort Sumter and the European recognition that a civil war was actually under way in America, a large number of new and vexing problems was presented to Russell. His treatment of them furnishes the subject matter of later chapters. For the period previous to April, 1861, British official attitude may be summed up in the statement that the British Minister at Washington hoped against hope that some solution might be found for the preservation of the Union, but that at the same time, looking to future British interests and possibly believing also that his attitude would tend to preserve the Union, he asserted vehemently the impossibility of any Northern interference with British trade to Southern ports. Across

[1] *Ibid.*, No. 146.

the water, Russell also hoped faintly that there might be no separation. Very soon, however, believing that separation inevitable and the disruption of the Union final, he fixed his hope on peaceful rather than warlike secession. Even of this, however, he had little real expectation, but neither he nor anyone else in England, nor even in America, had any idea that the war would be a long and severe one. It is evident that he was already considering the arrival of that day when recognition must be granted to a new, independent and slave-holding State. But this estimate of the future is no proof that the Russian Ambassador's accusation of British governmental pleasure in American disruption was justified.[1] Russell, cautious in refusing to pledge himself to Dallas, was using exactly such caution as a Foreign Secretary was bound to exercise. He would have been a rash man who, in view of the uncertainty and irresolution of Northern statesmen, would have committed Great Britain in March, 1861, to a definite line of policy.

On April 6, Russell was still instructing Lyons to recommend reconciliation. April 8, Dallas communicated to Russell an instruction from Seward dated March 9, arguing on lines of "traditional friendship" against a British recognition of the Confederacy. Russell again refused to pledge his Government, but on April 12 he wrote to Lyons that British Ministers were "in no hurry to recognize the separation as complete and final."[2] In the early morning of that same day the armed conflict in America had begun, and on the day following, April 13, the first Southern victory had been recorded in the capture of Fort Sumter. The important question which the man at the head of the British Foreign Office had now immediately to decide was, what was to be England's attitude, under international

[1] See *ante*, pp. 50-51.

[2] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." Nos. 24, 25 and 26.

law, toward the two combatants in America. In deciding this question, neither sentiment nor ideals of morality, nor humanitarianism need play any part; England's *first* need and duty were to determine and announce for the benefit of her citizens the correct position, under International law, which must be assumed in the presence of certain definite facts.

CHAPTER III

THE DEVELOPMENT OF A POLICY, MAY, 1861

In June, 1859, a short-lived Conservative Government under the leadership of Lord Derby had been replaced by a "coalition" Liberal Government, at the head of which stood Palmerston, but so constituted that almost equal influence was attributed to the Foreign Secretary, Lord John Russell. Both men had previously held the Premiership, and, as they represented different wings of the Whig-Liberal party, it was prophesied by political wiseacres that personal friction would soon lead to a new disruption. Nor were the possible elements of discord confined to these two. Gladstone, formerly a Peelite Tory, and for a time uncertain whether to return to the Tory fold or to join the Liberals, had yielded to Palmerston's promise of a free hand in financial matters, and had joined the Ministry as Chancellor of the Exchequer. Opposed to him in a certain sense, as the rival claimant for political leadership among the younger group, was Sir George Cornewall Lewis, Home Secretary until July, 1861, thereafter until his death in April, 1863, Secretary for War. Acting in some degree as intermediary and conciliator between these divergent interests stood Lord Granville, President of Council, then a "Conservative-Liberal," especially valuable to the Cabinet for the confidence reposed in him by Queen Victoria and Prince Albert.

In 1861 Palmerston was seventy-seven years old. Long before this he had built his popularity upon a vigorous British "patriotism," assertive of England's honour and

jealous for British advantage. Now, however, as head of a Government requiring the most delicate handling to maintain itself, he devoted his energies to details of political management in which he had great skill. His ambition was, primarily, to retain office, and in this purpose he was fortunate because, unknown to his ministerial colleagues, he had received an indirect pledge from Lord Derby, the Opposition leader, that there would be, for a time at least, no determined effort to unseat him so long as his Ministry brought forward no Bill for a further expansion of the franchise. In the unwillingness to make any further adventure toward an expanded democracy Palmerston was wholly at one with Derby. Of like opinion, though less strongly so, was Russell, whose popular nickname, "Finality John," gained by his assertion that the Reform Bill of 1832 was England's last step toward democracy, sufficiently indicates his stand on the franchise question. In fact every member of the Cabinet belonged to the "Conservative-Liberal" group, though with shades of political faith, and none were really Liberals—far less Radicals. The outspoken Radicals in Parliament, like John Bright, and his friend Cobden, who had refused to take office under Palmerston, gave a lukewarm support to the Ministry, but would not pledge themselves to steadfast adherence. They had hopes of Gladstone, believed that he would ultimately come into their group, but meanwhile watched with anxiety his delighted immersion, as indeed Palmerston desired it, in the details of financial management to the exclusion of other questions.

The matter of ministerial and general British attitude toward democracy as affecting British policy during the American Civil War will be considered in a later chapter. In the spring of 1861 it had not become a clear-cut British opinion and did not, so far as historical evidence can determine, affect early governmental policy toward America.

The outstanding feature of the British Government in 1861 is that it was made up of various so-called "Liberal" elements, the representatives of each of which carried on the business of his own department much as he pleased. Palmerston's was, of course, the deciding opinion, whenever he cared to express it, but this he did but rarely. His great concern was to keep his all-star associates running smoothly together and thus to give no occasion for parliamentary criticism and attack. It followed that Russell, eight years the junior of Palmerston, was in foreign affairs more powerful and independent than is customary. Indeed the Government was at times spoken of as the "Palmerston-Russell Ministry." These two were the leaders of the team; next came Gladstone and Cornewall Lewis, rivals of the younger generation, and each eager to lead when their elders should retire from harness. Gladstone's great ability was already recognized, but his personal political faith was not yet clear. Lewis, lacking his rival's magnetic and emotional qualities, cold, scholarly, and accurate in performance, was regarded as a statesman of high promise.[1] Other Cabinet members, as is the custom of coalitions, were more free in opinion and action than in a strict party ministry where one dominating personality imposes his will upon his colleagues.

Lord John Russell, then, in foreign policy, was more than the main voice of the Government; rather, save in times of extreme crisis, governmental foreign policy was Russell's policy. This was even more true as regards American than European affairs, for the former were little understood, and dependence was necessarily placed upon the man whose business it was to be familiar with them.

[1] Sir George Cornewall Lewis was better informed in the early stages of the American conflict than any of his ministerial colleagues. He was an occasional contributor to the reviews and his unsigned article in the *Edinburgh*, April, 1861, on "The Election of President Lincoln and its Consequences," was the first analysis of real merit in any of the reviews.

Indeed there was little actual parliamentary or governmental interest, before midsummer of 1861, in the American question, attention in foreign affairs being directed toward Italian expansion, to the difficulties related to the control of the Ionian islands, and to the developing Danish troubles in Schleswig-Holstein. Neither did the opposition party venture to express a policy as regards America. Lord Derby, able but indolent, occasionally indulged in caustic criticism, but made no attempt to push his attack home. Malmesbury, his former Foreign Secretary, was active and alert in French affairs, but gave no thought to relations across the Atlantic.[1] Disraeli, Tory leader in the Commons, skilfully led a strong minority in attacks on the Government's policy, but never on the American question, though frequently urged to do so by the friends of the South. In short for the first year of the Civil War, 1861, the policy of Great Britain toward America was the policy of Lord John Russell, unhampered by friend or foe.

This being the case, what did Russell know about the American crisis? Briefly, no more than has already been stated as derived from the reports of British officials in the United States, and from the pages of the public press. The salient facts known to Russell were few. Lincoln's Cabinet had been named. Lincoln himself was absolutely an unknown quantity, but it was unbelievable that a man of his origins and history could be more than a mere figurehead—an opinion then held as widely in America as in England. But someone must determine American policy, and by universal consent, this would be Seward.

The new Secretary of State was at the moment better known in England than any other American statesman, with the possible exception of Charles Sumner, whose visits and personal contacts had established a circle of British

[1] In his *Memoirs of an Ex-Minister*, Malmesbury makes but three important references to the Civil War in America.

friendships. Both men were accepted as champions of anti-slavery, Sumner for his vigorous denunciations and his so-called "martyrdom" under the physical violence of the South Carolinan, Brooks; and Seward for his clever political anti-Southern leadership in the United States Senate. But Seward's reputation in this respect was offset by the belief that he was anti-British in his personal sentiments, or at least that he was very ready to arouse for political ends the customary anti-British sentiment of his Irish constituents in the State of New York. In 1860, on the occasion of the visit to the United States of the Prince of Wales, Seward is alleged to have stated to the Duke of Newcastle that in case he became Secretary of State it would then "become my duty to insult England, and I mean to do so"—a threat, whether jocose or not, that aroused much serious and anxious speculation in British governmental circles.[1] Moreover Seward's reputation was that of a wily, clever politician, rather unscrupulous in methods which British politicians professed to disdain—a reputation serving to dim somewhat, as indeed it did in America also, the sincere idealisms and patriotism of the statesman. Altogether, Seward was regarded in Great Britain as a rather dangerous man, yet as the inevitable guiding power in the new Republican administration.

This estimate was shared by many in the United States also, but not by all. The new American Minister to London, Charles Francis Adams, himself a most stiffly upright politician, both regarded Seward as the only possible leader of Republican party policy and rejoiced that this was so, having great confidence in his chief's integrity and wisdom. Adams himself was well suited to his new post. He was known as having early in 1849 fought the battle of anti-slavery as a "Free Soil Whig," and later as a leading Republican member of Congress from Massachusetts.

[1] Adams, *Charles Francis Adams*, p. 165.

Principally, however, he was suited to his post by education, family, and character. He had been taken as a boy to Russia during his father's ministry at St. Petersburg, and later had been educated in England. His father and grandfather, John Quincy Adams and John Adams, both Presidents of the United States, had both, also, been American Ministers at London. Intensely patriotic, but having wide acquaintance through training and study with European affairs, especially those of Britain, and equipped with high intellectual gifts, Adams was still further fitted to his new post by his power of cool judgment and careful expression in critical times. His very coolness, sometimes appearing as coldness and stiff dignity, rendered him an especially fit agent to deal with Russell, a man of very similar characteristics. The two men quickly learned to respect and esteem each other, whatever clash arose in national policies.

But meanwhile Adams, in April, 1861, was not yet arrived in London. The Southern Government organized at Montgomery, Alabama, but soon transferred to Richmond, Virginia, was headed by Jefferson Davis as President and Alexander Stephens as Vice-President. Neither man was well known in England, though both had long been prominent in American politics. The little British information on Davis, that he had served in the United States Senate and as a Cabinet member, seemed to indicate that he was better fitted to executive duties than his rival, Lincoln. But Davis' foreign policy was wholly a matter for speculation, and his Cabinet consisted of men absolutely unknown to British statesmen. In truth it was not a Cabinet of distinction, for it was the misfortune of the South that everywhere, as the Civil War developed, Southern gentlemen sought reputation and glory in the army rather than in political position. Nor did President Davis himself ever fully grasp the importance to the South of a

well-considered and energetic foreign policy. At first, indeed, home controversy compelled anxious attention to the exclusion of other matters. Until war cemented Southern patriotism, Davis, himself regarded as an extremist, felt it necessary in denial of an asserted unreasonableness of personal attitude, to appoint to office men known for their earlier moderate opinions on both slavery and secession.[1] "The single exception to this general policy"[2] was the appointment as agents to Europe of Yancey, Rost and Mann, all of them extreme pro-slavery men and eager secessionists. Of these Mann was the only one with any previous diplomatic experience. Yancey's choice was particularly inappropriate, for he at least was known abroad as the extreme fire-eating Southern orator, demanding for ten years past, that Southern action in defence of states rights and Southern "interests," which now, at last, the South was attempting.[3]

Yancey and Rost, starting on their journey on March 16, reached London on April 29.[4] Meanwhile in this same month of April, conditions in America, so long confused and uncertain, were being rapidly clarified. The South, earlier than the North, had come to a determined policy, for while during January and February, at the Montgomery convention, there had been uncertainty as to actively applying the doctrinaire right of secession, by March the party of action had triumphed, and though there was still talk of conferences with the North, and commissioners actually appointed, no real expectation existed of a favourable result. In the North, the determination of policy was more slowly developed. Lincoln was not inaugurated

[1] Dodd, *Jefferson Davis*, pp. 227-8.

[2] *Ibid.*

[3] It was generally whispered in Southern political circles that Davis sent Yancey abroad to get rid of him, fearing his interference at home. If true, this is further evidence of Davis' neglect of foreign policy.

[4] Du Bose, *Yancey*, p. 604.

until March 4, and no positive pronouncement was earlier possible. Even after that date uncertainty still prevailed. European correspondents were reporting men like Sumner as willing to let the South go in peace. The Mayor of New York City was discussing the advisability of a separate secession by that financial centre from Nation and State alike—and of setting up as a "free town." Seward, just appointed Secretary of State, was repudiating in both official and private talk any intention to coerce the South by force of arms.[1] It is no wonder that British statesmen were largely at sea over the American situation.

But on April 13, 1861, the Stars and Stripes floating over Fort Sumter in Charleston harbour was lowered in surrender of a Federal fortress under the armed attack of the newly-born Confederacy. That event drove away as by magic the uncertainty of the North, and removed the last vestiges of Southern doubt. A great wave of militant patriotism swept over both sections.[2] Hurriedly both North and South prepared for war, issuing calls for volunteers and organizing in all accustomed warlike preparations. The news of Sumter reached London or April 27, and that civil war seemed certain was known on April 29. On April 17, Davis, since the South lacked a navy, approved a proclamation offering to issue letters of marque and reprisal. On April 19 Lincoln proclaimed a Northern intention to treat as pirates any privateers acting under such letters, and also gave notice of a blockade of Southern ports, to be instituted later. Thus suddenly, so it seemed to British officials and public after the long delay and uncertainty of months, events in America had precipitated a state of war, though in fact there were still to elapse other months in which both North and South laboured to trans-

[1] Adams, *Charles Francis Adams*, pp. 149-51.

[2] Possibly the best concise statement of the effect on the North is given in Carl Schurz, *Reminiscences*, Vol. II, p. 223. Or see my citation of this in *The Power of Ideals in American History*, ch. I, "Nationality."

form a peaceful society into one capable of waging effective battle.

The result of this sudden change in the American horizon was to alter, almost as quickly, the previous delay in outlining a British policy, though, presumably, the British Government, while waiting the turn of events, had given careful consideration to the steps required of it in just such a situation as had now arisen. Certainly both Lyons and Russell had been deeply anxious for some time, and had visualized a proper British policy. The movement in Great Britain now became rapid. On April 29, Malmesbury, in the Lords, spoke of the news of civil war which had arrived " this morning," and asked if the Government had tried to prevent it, or had set on foot negotiations with other powers to check it. Wodehouse, replying for the Government, stated that the United States as an independent State would have resented any suggestions from Great Britain, and that Lyons had been instructed to be extremely careful about offering advice unless " asked for by the contending parties themselves." Both speakers commented on the " ties of blood " rendering Britain especially anxious in this American quarrel, and regretted the conflict.[1] Malmesbury's query as to the approach to another government, meaning France, was evaded. That some such approach, in accordance with the earlier advice of Lyons,[2] had already been made, is evident from the fact that three days later, on May 1, Dallas learned from Russell of the plan of joint action with France, though what that action would be was not made clear.[3] As Dallas' report was soon the basis of an American complaint shortly to be considered, the paragraph referring to this matter is important :

[1] Hansard, 3rd. Ser., Vol. CLXII, pp. 1207-9

[2] See *ante*, p. 60.

[3] *U.S. Messages and Documents*, 1861-62, pp. 83-4. Dallas to Seward, May 2, 1862.

"The solicitude felt by Lord John Russell as to the effect of certain measures represented as likely to be adopted by the President induced him to request me to call at his private residence yesterday. I did so. He told me that the three representatives of the Southern confederacy were here;[1] that he had not seen them, but was not unwilling to do so, *unofficially;* that there existed an understanding between this government and that of France which would lead both to take the same course as to recognition, whatever that course might be; and he then referred to the rumour of a meditated blockade of Southern ports and their discontinuance as ports of entry—topics on which I had heard nothing. But as I informed him that Mr. Adams had apprised me of his intention to be on his way hither, in the steamship 'Niagara,' which left Boston on the 1st May, and that he would probably arrive in less than two weeks, by the 12th or 15th instant, his lordship acquiesced in the expediency of disregarding mere rumour, and waiting the full knowledge to be brought by my successor. The motion, therefore, of Mr. Gregory may be further postponed, at his lordship's suggestion."

May 3rd, Russell held an unofficial interview with the two Southern commissioners in fact arrived, Yancey and Rost. As reported by them,[2] Russell listened with attention to their representation, but made no informing comment. They argued the constitutional right of secession, depicted the firm determination of the South, were confident of early acquiescence by the North, and especially laid stress on the Southern desire for free trade. Russell's own report to Lyons on this interview and on one held six days later, May 9, is in substantial agreement, but much more is made by him than by the Commissioners of a question put by Russell as to a Southern plan of reviving the African slave-

[1] An error. Mann did not arrive in London until May 15. Du Bose, *Yancey*, p. 604.

[2] Richardson, *Messages and Papers of the Confederacy*, Vol. II, p. 34. This report also shows that Mann was not present at the first interview with Russell.

trade.[1] Yancey and Rost denied this and asserted "that they had prohibited the slave-trade, and did not mean to revive it." Their report to Richmond does not depict this matter as of special significance in the interview; Russell's report to Lyons lays stress upon it. The general result of the interview was that Russell listened, but refused, as to Dallas, to make any pledge on recognition. But the Southern Commissioners came away with a feeling of confidence and were content to wait on British action.[2]

On this same day, May 3, Russell received from the Attorney-General a memorandum in reply to a query as to recognizing the belligerency of the South and as to the right of the South to issue letters of marque and reprisal. The memorandum notes that Southern privateering would be dangerous to British commerce with the North, but sees no help for it. "The best solution," wrote the Attorney-General, "would be for the European nations to determine that the war between the two Confederacies shall be carried on on the principles of 'Justum Bellum,' and shall be conducted according to the rules of the Treaty of Paris. Recognize the Southern States as a Belligerent on this condition only."[3] The next day, referring to this memorandum, Russell wrote Lyons that the law officers "are of opinion that we must consider the Civil War in America as regular war,"[4] but he does *not* comment on the legal advice to press the South to abandon privateering before recognizing her belligerent rights, for this is the only meaning that can be attached to the last sentence quoted

[1] F.O., America, Vol. 755. No. 128, Russell to Lyons, May 11, 1861. This document is marked "Seen by Lord Palmerston and the Queen." The greater and essential part has been printed in *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in United States." No. 33.

[2] Du Bose, *Yancey*, p. 604.

[3] Lyons Papers. The copy of the Memorandum sent to Lyons is undated, but from Russell's letter to Lyons of May 4, in which it was enclosed, it is presumable that the date of May 3 for the Memorandum is correct.

[4] *Ibid.* Russell to Lyons, May 4, 1861.

from the Attorney-General's memorandum. This advice, however, in view of the opinion that there was "no help for it," was presumably but a suggestion as to a possible diplomatic manœuvre with little confidence that it would succeed. The "best solution" was not the probable one, for the South, without a navy, would not readily yield its only naval weapon.

In these few days British policy was rapidly matured and announced. The letter of May 4 to Lyons, stating the Civil War to be a "regular war" was followed on May 6 by a formal instruction giving Lyons advance notice of the determination reached by the Cabinet to recognize the belligerent rights of the South. Russell indulged in many expressions of regret and sympathy, but Lyons was not to conceal that this British action represented the Government's view of the actualities of the American situation. Yet while Lyons was not to conceal this opinion he was not instructed to notify Seward, officially, of the recognition of Southern belligerency.[1] Here was a correct understanding of the difficulty of the diplomatic position at Washington, and a permitted avoidance by Lyons of dangerous ground.[2] Russell was not then aware of the tenacity with which Seward was to cling to a theory, not yet clearly formulated for foreign governments, that the Civil War was a rebellion of peoples rather than a conflict of governments, but he does appear to have understood the delicacy of formal notification to the constituted government at Washington.[3] Moreover his instructions were in line with the British policy of refusing, at present, a recognition of Southern sovereignty.

[1] F.O., Am., Vol. 755. No. 121, Russell to Lyons, May 6, 1861.

[2] It is to be remembered that the United States had given no notice of the existence of a state of war.

[3] In diplomatic usage official notification of neutrality to a belligerent has varied, but Russell's letters show him to have appreciated a peculiar delicacy here.

On the same day, May 6, a copy of the instructions to Lyons was sent to Cowley, British Ambassador at Paris, directing him to request France to join, promptly, in recognizing Southern belligerent rights. Cowley was also instructed that the blockade and privateering required precautions by European governments, and it was suggested that France and England unite in requesting both belligerents to accede to the second and third articles of the Declaration of Paris.[1] These articles refer to the exemption from capture, except contraband, of enemy's goods under a neutral flag, and of neutral goods under an enemy's flag.[2] This day, also, Russell stated in Parliament that England was about to recognize the belligerent rights of the South, and spoke of the measure as a necessary and inevitable one. May 7, Cowley notified Russell that Thouvenel, the French Foreign Minister, was in complete agreement with England's policy,[3] and on May 9, in a more extended communication, Cowley sent word of Thouvenel's suggestion that both powers issue a declaration that they " intended to abstain from all interference," and that M. de Flahault, French Ambassador at London, had

[1] F.O., France, Vol. 1376. No. 553. Draft. Printed in *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on International Maritime Law." No. 1.

[2] It is interesting that on this same day Lyons was writing from Washington advocating, regretfully, because of his sympathy with the North, a strict British neutrality:

> " The sympathies of an Englishman are naturally inclined towards the North—but I am afraid we should find that anything like a quasi alliance with the men in office here would place us in a position which would soon become untenable. There would be no end to the exactions which they would make upon us, there would be no end to the disregard of our neutral rights, which they would show if they once felt sure of us. If I had the least hope of their being able to reconstruct the Union, or even of their being able to reduce the South to the condition of a tolerably contented or at all events obedient dependency, my feeling against Slavery might lead me to desire to co-operate with them. But I conceive all chance of this to be gone for ever."

Russell Papers. Lyons to Russell, May 6, 1861.

[3] F.O., France, Vol. 1390. No. 677.

been given instructions to act in close harmony with Russell.[1]

The rapidity of movement in formulating policy in the six days from May 1 to May 6, seems to have taken the British public and press somewhat by surprise, for there is a lack of newspaper comment even after Russell's parliamentary announcement of policy on the last-named date. But on May 9 the *Times* set the fashion of general approval in an editorial stating that Great Britain was now coming to see the American conflict in a new light—as a conflict where there were in fact no such ideals involved as had been earlier attributed to it. Southern rights were now more clearly understood, and in any case since war, though greatly to be regretted, was now at hand, it was England's business to keep strictly out of it and to maintain neutrality.[2] This generalization was no doubt satisfactory to the public, but in the Government and in Parliament men who were thinking seriously of specific difficulties realized that the two main problems immediately confronting a British neutral policy were privateering and blockade. The South had declared its *intention* to use privateers. The North had declared its *intention,* first to hang those who engaged in privateering, and second to establish a blockade. Neither declaration had as yet been put into effect.

The first action of the British Government was directed toward privateering. On May 1, Russell sent a note to the Lords Commissioners of the Admiralty calling attention to the Southern plan to issue letters of marque and reprisal and directing that reinforcements be sent to the British fleet in American waters. This was prompt action on unofficial information, for Davis' proclamation bore date of April 17, and Lyons' despatch containing copies of it,

[1] *Ibid.*, No. 684. Printed in part in *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on International Maritime Law." No. 3.

[2] *Times*, May 9, 1861.

sent on April 22, was not received by Russell until May 10.[1] Ordinary news from the United States required ten days to get into print in London,[2] but official messages might be sent more rapidly by way of telegraph to Halifax, thence by steamer to Liverpool and by telegraph again to London. In case the telegram to Halifax coincided with the departure of a fast vessel the time was occasionally reduced to seven days, but never less. At the best the exact information as to the contents of the Davis and Lincoln proclamations of April 17 and 19 respectively, could have been received only a few days before the order was issued to reinforce the British fleet.

The next day, May 2, Ewart, in the Commons, asked "if Privateers sailing under the flag of an unrecognized Power will be dealt with as Pirates," thus showing the immediate parliamentary concern at the Davis and Lincoln proclamations. Russell stated in reply that a British fleet had been sent to protect British interests and took occasion to indicate British policy by adding, "we have not been involved in any way in that contest by any act or giving any advice in the matter, and, for God's sake, let us if possible keep out of it."[3] May 6, Gregory, a friend of the

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 31.

[2] So stated by the *Times*, May 9, 1861.

[3] Hansard, 3rd. Ser., Vol. CLXII, pp. 1378-9. This blunt expression of Great Britain's Foreign Secretary offers an interesting comparison with the words of the American President Wilson, in a parallel statement at the outbreak of the Great War in 1914. Wilson on August 3, 1914, gave a special audience to newspaper correspondents, begging them to maintain an attitude of calm impartiality. On August 4 he issued the first of several neutrality proclamations in which, following the customary language of such documents, the people were notified that neutrality did not restrict the "full and free expression of sympathies in public and in private." But on August 18 in an address to the people of the United States, this legal phraseology, required by traditional usage was negatived by Wilson's appeal that "we must be impartial in thought as well as in action, must put a curb upon our sentiments as well as upon every transaction that might be construed as a preference of one party to the struggle before another." And three weeks later, on September 8, came the proclamation setting aside October 4 "as a day of prayer to Almighty God," informing Him that war existed and asking His intervention. Possibly Russell's more blunt and pithy expression was better suited to the forthrightness of the British public.

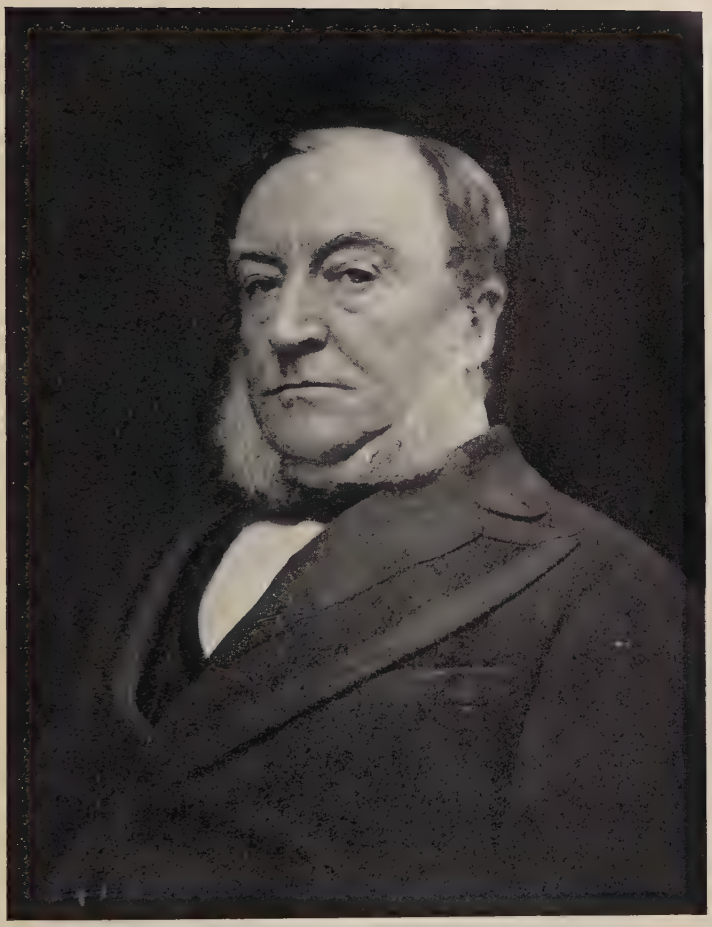

Photo: F. Hollyer.

SIR WILLIAM GREGORY, K.C.M.G.

(From Lady Gregory's "Sir William Gregory, K.C.M.G.: An Autobiography," by kind permission)

South, who had already given notice of a motion for the recognition of the Confederacy as an independent State, asked whether the United States had been informed that a blockade of Southern ports would not be recognized unless effective, and whether there would be acquiescence in the belligerent right of the South to issue letters of marque and reprisal.[1] Russell replied that Lincoln had *not* been informed that a blockade must be effective to be respected since the Washington Government did not need to be told of an international rule which it had itself long proclaimed. As to the second point, he now announced what heretofore had not been clearly stated, that Southern privateers could not be regarded by Great Britain as pirates, for if so regarded Britain would herself have to treat them as pirates and would thus be unneutral. This was in fact, in spite of Northern bitter accusations that Britain was exhibiting governmental sympathy with the South by her tolerance of the plan of Southern privateering, an inescapable conclusion. Russell added, however, that the matter of privateering involved some new questions under the Declaration of Paris upon which the Government had not yet decided what stand to take.[2] It was on this same day, in fact, that Russell had instructed Cowley to take up with France the question of the Declaration of Paris,[3]

[1] Hansard, *ibid.*, pp. 1564-7. Gregory, a "Liberal-Conservative," though never a "good party man" was then supporting Palmerston's ministry. He was very popular in Parliament, representing by his prominence in sport and society alike, the "gentleman ruling class" of the House of Commons, and was a valuable influence for the South.

[2] This subject is developed at length in Chapter V on "The Declaration of Paris Negotiation."

[3] See *ante*, p. 88. The chronology of these rapidly succeeding events is interesting:

April 29—Malmesbury states in the Lords that "news was received this day."
May 1—Naval reinforcements sent to American waters.
May 1—Russell's interview with Dallas.
May 2—Russell's plea in Parliament, "For God's sake keep out of it."
May 3—Russell's first interview with Yancey and Rost.
May 3—Attorney-General's memorandum.
May 4—Russell's note to Lyons that this is a "regular war."

Privateering and blockade, declared in America months before there was any possibility of putting them into effect, and months before there were any military operations in the field, forced this rapid European action, especially the action of Great Britain, which, more than any other European nation, feared belligerent interference with her carrying and export trade. How was the British Government to know that Davis would not bend every energy in sending out privateers, and Lincoln to establish a blockade? The respective declarations of Davis and Lincoln were the *first* evidences offered of belligerent status. It was reasonable to assume that here would come the first energetic efforts of the belligerents. Nor was British governmental intelligence sufficiently informed to be aware that Davis, in fact, controlled few ships that could be fitted out as privateers, or that two-thirds of the Northern navy was at the moment widely scattered in foreign seas, making impossible a prompt blockade.

To the British view the immediate danger to its commercial interests lay in this announced maritime war, and it felt the necessity of defining its neutral position with speed. The underlying fact of the fixity of Southern

May 6—Cowley instructed to ask France to recognize Southern belligerency.
May 6—Lyons notified that England will recognize Southern belligerency.
May 6—Russell states in Parliament that privateers can not be treated as pirates.
[Presumably, since parliamentary sittings begin in the late afternoons, the instructions to diplomats were drawn before the statement in Parliament.]
May 9—Russell's second interview with Yancey and Rost.
May 9—Sir George Lewis announces that a Proclamation of Neutrality will be issued soon.
May 13—The Proclamation authorized.
May 13—Adams reaches Liverpool.
May 14—The Proclamation officially published in the *London Gazette*.
May 14—Adams in London "ready for business."

It would appear that Russell's expressions in Parliament on May 2 indicated clearly the purpose of the Government. This was notified to Lyons on May 4, which may be taken as the date when the governmental position had become definitely fixed, even though official instructions were not sent Lyons until the 6th.

determination to maintain secession had in the last few weeks become clearly recognized.

Moreover the latest information sent by British officials in America, some of it received just before the issue of the Proclamation of Neutrality, some just after, was all confirmative of the rapid approach of a great war. A letter from Bunch, at Charleston, was received on May 10, depicting the united Southern will to resist Northern attack, and asserting that the South had no purpose save to conduct a strictly defensive war. Bunch was no longer caustic; he now felt that a new nation was in process of birth.[1] May 4, Monson, writing from Washington, and just returned from a trip through the South, in the course of which he had visited Montgomery, stated "*no reconstruction* of the Union is possible," and added that there was no danger of a servile insurrection, a matter that now somewhat began to disturb the British Government and public.[2] A few days later on, May 12, Lyons expressed his strong sympathy with the North for reasons of anti-slavery, law, and race, but added that he shrank from expressions of sympathy for fear of thus encouraging the Northern Cabinet in its plan of prosecuting civil war since such a war would be frightful in its consequences both to America and to England.[3]

Such reports if received before the issue of the Pro-

[1] F.O., Am., Vol. 780. No. 50. Bunch to Russell, April 19, 1861.

[2] F.O., Am., 789. Monson to Alston, received May 21.

[3] F.O., Am., 763. No. 197. Lyons to Russell, received May 26. The full statement is:

> "To an Englishman, sincerely interested in the welfare of this country, the present state of things is peculiarly painful. Abhorrence of slavery, respect for law, more complete community of race and language, enlist his sympathies on the side of the North. On the other hand, he cannot but reflect that any encouragement to the predominant war feeling in the North cannot but be injurious to both sections of the country. The prosecution of the war can lead only to the exhaustion of the North by an expenditure of life and money on an enterprise in which success and failure would be alike disastrous. It must tend to the utter devastation of the South. It would at all events occasion a suspension of Southern cultivation which would be calamitous even more to England than to the Northern States themselves."

clamation of Neutrality must have strengthened the feeling that prompt action was necessary; if received later, they gave confidence that that action had been wise. May 9, Forster asked in the Commons a series of questions as to the application of the British Foreign Enlistment Act in the American crisis. What would be the status of British citizens serving on Confederate privateers? How would the Government treat citizens who aided in equipping such privateers? Did not the Government intend to take measures to prevent the infringement of law in British ports? Here was pressure by a friend of the North to hasten an official announcement of the policy already notified to Parliament. Sir George Lewis replied stating that the Government was about to issue a general proclamation warning British subjects not to take any part in the war.[1] Similar questions were asked by Derby in the Lords on May 10, and received a similar answer.[2] The few days' delay following Russell's statement of May 6 was due to consideration given by the Law Officers to the exact form required. The Proclamation as issued was dated May 13, and was officially printed in the *London Gazette* on May 14.

In form and in substance the Proclamation of Neutrality did not differ from customary usage.[3] It spoke of the Confederacy as "states styling themselves the Confederate States of America," prohibited to Englishmen enlistment on either side, or efforts to enlist others, or equipment of ships of war, or delivery of commissions to such ships. War vessels being equipped in British ports would be seized and forfeited to the British Government. If a belligerent

[1] Hansard, 3rd. Ser., CLXII, p. 1763.

[2] *Ibid.*, pp. 1830-34. In the general discussion in the Lords there appeared disagreement as to the status of privateering. Granville, Derby, and Brougham, spoke of it as piracy. Earl Hardwicke thought privateering justifiable. The general tone of the debate, though only on this matter of international practice, was favourable to the North.

[3] For example see Hertslet, *Map of Europe by Treaty*, Vol. I, p. 698, for the Proclamation issued in 1813 during the Spanish-American colonial revolutions.

war-ship came into a British port, no change or increase of equipment was to be permitted. If a subject violated the Proclamation he was both punishable in British courts and forfeited any claim to British protection. The Parliamentary discussion on May 16 brought out more clearly and in general unanimity of opinion the policy of the Government in application of the Proclamation; the South was definitely recognized as a belligerent, but recognition of independence was for the future to determine; the right of the South to send out privateers was regretfully recognized; such privateers could not be regarded as pirates and the North would have no right to treat them as such, but if the North in defiance of international opinion did so treat them, Great Britain had at least warned its subjects that they, if engaged in service on a Southern privateer, had no claim to British protection; a blockade of the South to be respected must be effective at least to the point where a vessel attempting to pass through was likely to be captured; the plan of blockading the entire Southern coast, with its three thousand miles of coast line, was on the face of it ridiculous—evidence that Members of Parliament were profoundly ignorant of the physical geography of the Southern seaboard.[1]

The Parliamentary discussion did not reveal any partiality for one side in the American quarrel above the other. It turned wholly on legal questions and their probable application. On May 15 Russell sent to Lyons the official text of the Proclamation, but did not instruct him to communicate it officially to Seward, leaving this rather to Lyons' discretion. This was discretionary in diplomatic usage since in strict fact the Proclamation was addressed to British subjects and need not be communicated officially to the belligerents. In the result the discretion permitted to Lyons had an important bearing, for recognition of

[1] Hansard, 3rd. Ser., CLXII, pp. 2077-2088.

Southern belligerency was opposed to the theory upon which the Northern Government was attempting to proceed. Lyons did not then, or later, make official communication to Seward of the Proclamation.[1] The fact soon appeared that the United States seriously objected to the Proclamation of Neutrality, protesting first, its having been issued at all, and, in the second place, resenting what was considered its "premature" announcement by a friendly nation. This matter developed so serious a criticism by both American Government and public, both during and after the Civil War, that it requires a close examination. Did the British Government exhibit an unfriendly attitude toward the North by a "premature" Proclamation of Neutrality?

On May 13 the new American Minister landed at Liverpool, and on the morning of the fourteenth he was "ready for business" in London,[2] but the interview with Russell arranged for that day by Dallas was prevented by the illness of Russell's brother, the Duke of Bedford.[3] All that was immediately possible was to make official notification of arrival and to secure the customary audience with the Queen. This was promptly arranged, and on May 16 Adams was presented, Palmerston attending in the enforced absence of Russell. Adams' first report to Seward was therefore brief, merely noting that public opinion was "not exactly what we would wish." In this

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV, "Correspondence on Civil War in the United States." No. 35. Russell to Lyons, May 15, 1861. Another reason for Lyons' precaution was that while his French colleague, Mercier, had been instructed to support the British Proclamation, no official French Proclamation was issued until June 10, and Lyons, while he trusted Mercier, felt that this French delay needed some explanation. Mercier told Seward, unofficially, of his instructions and even left a copy of them, but at Seward's request made no official communication. Lyons, later, followed the same procedure. This method of dealing with Seward came to be a not unusual one, though it irritated both the British and French Ministers.

[2] *U.S. Messages and Documents*, 1861-2, p. 85. Adams to Seward, May 17, 1861.

[3] Bedford died that day.

he referred to the utterances of the press, particularly those of the *Times*, which from day to day and with increasing vigour sounded the note of strict neutrality in a "non-idealistic" war. On May 30 the *Times*, asserting that both parties in America were bidding for English support, summed up public opinion as follows:

> "We have been told, in fact, by Northern politicians, that it does not become us to be indifferent, and by Southern leaders that they are half inclined to become British once more. Both sides are bidding for us, and both sides have their partisans over here. On such perilous ground we cannot walk too warily.
>
> "For our own part, we are free to confess that the march of events has induced us to regard the dispute as a more commonplace kind of quarrel than it at first appeared to be. The real motives of the belligerents, as the truth transpires, appear to be exactly such motives as have caused wars in all times and countries. They are essentially selfish motives—that is to say, they are based upon speculations of national power, territorial aggrandizement, political advantage, and commercial gain. Neither side can claim any superiority of principle, or any peculiar purity of patriotism. . . .
>
> "We certainly cannot discover in these arguments anything to remove the case from the common category of national or monarchical quarrels. The representations of the North might be made word for word by any autocrat or conqueror desirous of 'rectifying' his frontier, consolidating his empire, or retaining a disaffected province in subjection. The manifestos of the South might be put forth by any State desirous of terminating an unpleasant connexion or exchanging union for independence. . . .
>
> "It is just such a question as has been left times out of mind in this Old World to the decision of the sword. The sword will be the arbitrator in the New World too; but the event teaches us plainly enough that Republics and Democracies enjoy no exemption from the passions and follies of humanity."

Under these impressions Adams presented himself

on May 18 for his first interview with Russell.[1] He stated that he had come with the idea that there was

> "... little to do beyond the duty of preserving the relations actually existing between the two nations from the risk of being unfavourably affected by the unfortunate domestic disturbances prevailing in my own country. It was not without pain that I was compelled to admit that from the day of my arrival I had felt in the proceedings of both houses of Parliament, in the language of Her Majesty's ministers, and in the tone of opinion prevailing in private circles, more of uncertainty about this than I had before thought possible."

Adams then inquired whether the replies given by Russell to Dallas refusing to indicate a policy as to recognition of the South implied a British purpose "to adopt a policy which would have the effect to widen, if not to make irreparable, a breach [between North and South] which we believed yet to be entirely manageable by ourselves."

Russell here replied that "there was no such intention"; he had simply meant to say to Dallas that the British Government "were not disposed in any way to interfere." To this Adams answered that:

> "... it was deserving of grave consideration whether great caution was not to be used in adopting any course that might, even in the most indirect way, have an effect to encourage the hopes of the disaffected in America. ... It was in this view that I must be permitted to express the great regret I had felt on learning the decision to issue the Queen's proclamation, which at once raised the insurgents to the level of a belligerent State, and still more the language used in regard to it by Her Majesty's ministers in both houses of Parliament before and since. Whatever might be the design, there could be no shadow of doubt that the effect of these events had been to encourage the friends of the disaffected here. The tone of the press and of private opinion indicated it strongly."

[1] *U.S. Messages and Documents*, 1861-2, pp. 90-96. Adams to Seward, May 21, 1861.

Russell's answer was that Adams was placing more stress on recent events than they deserved. The Government had taken the advice of the Law Officers and as a result had concluded that " as a question merely of *fact*, a war existed. . . . Under such circumstances

> it seemed scarcely possible to avoid speaking of this in the technical sense as *justum bellum*, that is, a war of two sides, without in any way implying an opinion of its justice, as well as to withhold an endeavour, so far as possible, to bring the management of it within the rules of modern civilized warfare. This was all that was contemplated by the Queen's proclamation. It was designed to show the purport of existing laws, and to explain to British subjects their liabilities in case they should engage in the war."

To this Adams answered " . . . that under other circumstances

> I should be very ready to give my cheerful assent to this view of his lordship's. But I must be permitted frankly to remark that the action taken seemed, at least to my mind, a little more rapid than was absolutely called for by the occasion. . . . And furthermore, it pronounced the insurgents to be a belligerent State before they had ever shown their capacity to maintain any kind of warfare whatever, except within one of their own harbours, and under every possible advantage. It considered them a marine power before they had ever exhibited a single privateer on the ocean. . . . The rule was very clear, that whenever it became apparent that any organized form of society had advanced so far as to prove its power to defend and protect itself against the assaults of enemies, and at the same time to manifest a capacity to maintain binding relations with foreign nations, then a measure of recognition could not be justly objected to on any side. The case was very different when such an interference should take place, prior to the establishment of the proof required, as to bring about a result which would not probably have happened but for that external agency."

This representation by the American Minister, thus

early made, contains the whole argument advanced against the British Proclamation of Neutrality, though there were many similar representations made at greater length both by Adams later, and by Seward at Washington. They are all well summarized by Bernard as " a rejection . . . of the proposition that the existence of war is a simple matter of fact, to be ascertained as other facts are—and an assertion . . . of the dogma that there can be no war, so far as foreign nations are concerned, and, therefore, no neutrality, so long as there is a sovereignty *de jure*."[1] But in this first representation Adams, in the main, laid stress upon the *haste* with which the Proclamation of Neutrality had been issued, and, by inference, upon the evidence that British sympathies were with the South.

One British journal was, indeed, at this very moment voicing exactly those opinions advanced by Adams. The *Spectator* declared that while the Proclamation, on the face of it, appeared to be one of strict neutrality, it in reality tended " directly to the benefit of the South."[2] A fortnight later this paper asserted, " The quarrel, cover it with cotton as we may, is between freedom and slavery, right and wrong, the dominion of God and the dominion of the Devil, and the duty of England, we submit, is clear." She should, even though forced to declare her neutrality, refuse for all time to recognize the slave-holding Confederacy.[3] But the *Spectator* stood nearly alone in this view. The *Saturday Review* defended in every respect the issue of the Proclamation and added, " In a short time, it will be necessary further to recognize the legitimacy of the Southern Government ; but the United States have a right to require that the acknowledgment shall be postponed until the failure of the effort

[1] Bernard, *The Neutrality of Great Britain during the American Civil War*, p. 161. The author cites at length despatches and documents of the period.

[2] *Spectator*, May 18, 1861.

[3] *Spectator*, June 1, 1861.

which they assert or believe that they are about to make has resulted in an experimental proof that subjugation is impossible.[1] A few provincial papers supported the view of the *Spectator*, but they were of minor importance, and generally the press heartily approved the Proclamation.

At the time of Adams' interview with Russell on May 18 he has just received an instruction from Seward written under the impression aroused by Dallas' report of Russell's refusal on April 8 to make any pledge as to British policy on the recognition of Southern independence. Seward was very much disturbed by what Russell had said to Dallas. In this instruction, dated April 27,[2] he wrote :

> " When you shall have read the instructions at large which have been sent to you, you will hardly need to be told that these last remarks of his lordship are by no means satisfactory to this government. Her Britannic Majesty's government is at liberty to choose whether it will retain the friendship of this government by refusing all aid and comfort to its enemies, now in flagrant rebellion against it, as we think the treaties existing between the two countries require, or whether the government of Her Majesty will take the precarious benefits of a different course.
>
> " You will lose no time in making known to Her Britannic Majesty's Government that the President regards the answer of his lordship as possibly indicating a policy that this government would be obliged to deem injurious to its rights and derogating from its dignity."

Having promptly carried out these instructions, as he understood them, Adams soon began to report an improved British attitude, and especially in the Government, stating that this improvement was due, in part, to the vigour now being shown by the Northern Government, in part " to a sense that the preceding action of Her Majesty's ministers has been construed to mean more than they

[1] *Saturday Review*, June 1, 1861.
[2] *U.S. Messages and Documents*, 1861-2, p. 82.

intended by it."[1] But at Washington the American irritation was not so easily allayed. Lyons was reporting Seward and, indeed, the whole North, as very angry with the Proclamation of Neutrality.[2] On June 14, Lyons had a long conversation with Seward in which the latter stubbornly denied that the South could possess any belligerent rights. Lyons left the conference feeling that Seward was trying to divide France and England on this point, and Lyons was himself somewhat anxious because France was so long delaying her own Proclamation.[3] To meet the situation, he and Mercier, the French Minister, went the next day, June 15, on an official visit to Seward with the intention of formally presenting the British Proclamation and Thouvenel's instructions to Mercier to support it.[4] But Seward " said at once that he could not receive from us a communication founded on the assumption that

> the Southern Rebels were to be regarded as Belligerents; that this was a determination to which the Cabinet had come deliberately; that he could not admit that recent events had in any respect altered the relations between Foreign Powers and the Southern States; that he would not discuss the question with us, but that he should give instructions to the United States Ministers in London and Paris who would thus be enabled to state the reasons for the course taken by their Government to Your Lordship and to M. Thouvenel, if you should be desirous to hear them. . . . He should not take Official cognizance of the recognition of the Belligerent Rights of Southern Rebels by Great Britain and France, unless he should be forced to do so by an Official communication addressed to the Government of the United States itself."

[1] *Ibid.*, p. 98. Adams to Seward, June 7, 1861. See also p. 96, Adams to Seward, May 31, 1861.

[2] Russell Papers. Lyons to Russell, June 10, 1861.

[3] *Ibid.* Lyons to Russell, June 14, 1861.

[4] F.O., Am., Vol. 766 No. 282. Lyons to Russell, June 17, 1861. Seward's account, in close agreement with that of Lyons, is in *U.S. Messages and Documents*, 1861-2, p. 106. Seward to Adams, June 19, 1861.

In the result the two Ministers submitted their papers to Seward "for his own use only." They did not regard the moment well chosen "to be punctilious." Lyons reported that Seward's language and demeanour throughout the interview were "calm, friendly, and good humoured," but the fact remained that the United States had not been officially notified of the Proclamation of Neutrality, and that the American Government, sensitive to popular excitement in the matter and committed to the theory of a rebellion of peoples, was thus left free to continue argument in London without any necessity of making formal protest and of taking active steps to support such protest.[1] The official relation was eased by the conciliatory acquiescence of Lyons. The public anger of America, expressed in her newspapers, astonished the British press and, temporarily, made them more careful in comment on American affairs. The *Times* told its readers to keep cool. "It is plain that the utmost care and circumspection must be used by every man or party in England to avoid giving offence to either of the two incensed belligerents."[2] In answer to the Northern outcry at the lack of British sym-

[1] Bancroft in his *Seward* (II, p. 183) prints a portion of an unpublished despatch of Seward to Dayton in Paris, July 1, 1861, as "his clearest and most characteristic explanation of what the attitude of the government must be in regard to the action of the foreign nations that have recognized the belligerency of the 'insurgents.'"

> "Neither Great Britain nor France, separately nor both together, can, by any declaration they can make, impair the sovereignty of the United States over the insurgents, nor confer upon them any public rights whatever. From first to last we have acted, and we shall continue to act, for the whole people of the United States, and to make treaties for disloyal as well as loyal citizens with foreign nations, and shall expect, when the public welfare requires it, foreign nations to respect and observe the treaties.
>
> "We do not admit, and we never shall admit, even the fundamental statement you assume—namely, that Great Britain and France have recognized the insurgents as a belligerent party. True, you say they have so declared. We reply: Yes, but they have not declared so to us. You may rejoin: Their public declaration concludes the fact. We, nevertheless, reply: It must be not their declaration, but the fact, that concludes the fact."

[2] The *Times*, June 3, 1861.

pathy, it declared "Neutrality—strict neutrality—is all that the United States Government can claim."[1]

While the burden of American criticism was thus directed toward the British recognition of Southern belligerency, there were two other matters of great moment to the American view—the attitude of the British Government toward Southern privateers, and the hearing given by Russell to the Confederate envoys. On the former, Seward, on May 21, wrote to Adams: "As to the treatment of privateers in the insurgent service, you will say that this is a question exclusively our own. We treat them as pirates. They are our own citizens, or persons employed by our own citizens, preying on the commerce of our country. If Great Britain shall choose to recognize them as lawful belligerents and give them shelter from our pursuit and punishment, the law of nations affords an adequate and proper remedy."[2] This was threatening language, but was for Adams' own eye, and in the next sentence of his letter Seward stated that avoidance of friction on this point was easy, since in 1856 Great Britain had invited the United States to adhere to the Declaration of Paris everywhere abolishing privateering, and to this the United States was now ready to accede.

What Seward really meant to accomplish by this was not made clear for the question of privateering did not constitute the main point of his belligerent letter of May 21. In fact the proposed treatment of privateers as pirates might have resulted in very serious complications, for though the Proclamation of Neutrality had warned British subjects that they would forfeit any claim to protection if they engaged in the conflict, it is obvious that the hanging as a pirate of a British seaman would have aroused a national outcry almost certain to have forced the Government into

[1] *Ibid.*, June 11, 1861.
[2] *U.S. Messages and Documents*, 1861-2, p. 87.

protest and action against America. Fortunately the cooler judgment of the United States soon led to quiet abandonment of the plan of treating privateers as pirates, while on the other point of giving "shelter" to Confederate privateers Seward himself received from Lyons assurance, even before Adams had made a protest, that no such shelter would be available in British ports.[1]

In this same letter of May 21 Seward, writing of the rumour that the Southern envoys were to be received by Russell "unofficially," instructed Adams that he must use efforts to stop this and that: "You will, in any event, desist from all intercourse whatever, unofficial as well as official, with the British Government, so long as it shall continue intercourse of either kind with the domestic enemies of this country." Here was a positive instruction as to the American Minister's conduct in a given situation, and a very serious instruction, nearly equivalent to "taking leave" after a rupture of diplomatic relations, but the method to be used in avoiding if possible the necessity of the serious step was left to Adams' discretion. Well might Adams' comment, when reporting the outcome, that this was the "most delicate portion of my task."[2] Adams again went over with Russell the suspicion as to British intentions aroused in America by the Queen's Proclamation, but added that he had not been able to convince himself of the existence of an unfriendly design. "But it was not to be disguised that the fact of the continued stay of the pseudo-commissioners in this city, and still more the knowledge that they had been admitted to more or less interviews with his lordship, was calculated to excite uneasiness. Indeed, it had already given great dissatisfaction to my

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 56. Lyons to Russell, June 17, 1861, reporting conference with Seward on June 15.

[2] *U.S. Messages and Documents*, 1861-62, p. 104. Adams to Seward, June 14, 1861.

Government. I added, as moderately as I could, that in all frankness any further protraction of this relation could scarcely fail to be viewed by us as hostile in spirit, and to require some corresponding action accordingly." Russell replied that both France and England had long been accustomed to receive such persons unofficially, as in the case of "Poles, Hungarians, Italians, etc.," to hear what they had to say. "But this did not imply recognition in their case any more than in ours. He added that he had seen the gentlemen once some time ago, and once more some time since; he had no expectation of seeing them any more."[1]

For the moment, then, a matter which under Seward's instructions might have brought on a serious crisis was averted by the tact of Adams and the acquiescence of Russell. Yet no pledge had been given; Russell merely stated that he had "no expectation" of further interviews with the Southern commissioners; he was still ready to hear from them in writing. This caused a division of opinion between the commissioners; Yancey argued that Russell's concession to Adams was itself a violation of the neutrality the British Government had announced, and that it should be met by a formal protest. But the other members insisted on a reference to Richmond for instructions.[2] On the same day that Adams reported the result to Seward he wrote privately to his son in Boston:

[1] Bancroft, the biographer of Seward, takes the view that the protests against the Queen's Proclamation, in regard to privateering and against interviews with the Southern commissioners were all unjustifiable. The first, he says, was based on "unsound reasoning" (II, 177). On the second he quotes with approval a letter from Russell to Edward Everett, July 12, 1861, showing the British dilemma: "Unless we meant to treat them as pirates and to hang them we could not deny them belligerent rights" (II, 178). And as to the Southern commissioners he asserts that Seward, later, ceased protest and writes: "Perhaps he remembered that he himself had recently communicated, through three different intermediaries, with the Confederate commissioners to Washington, and would have met them if the President had not forbidden it." Bancroft, *Seward*, II, 179.

[2] Du Bose, *Yancey*, p. 606.

> "My position here thus far has not been difficult or painful. If I had followed the course of some of my colleagues in the diplomatic line, this country might have been on the high road to the confederate camp before now. It did not seem to me to be expedient so to play into the hands of our opponents. Although there has been and is more or less of sympathy with the slave-holders in certain circles, they are not so powerful as to overbear the general sentiment of the people. The ministry has been placed in rather delicate circumstances, when a small loss of power on either extreme would have thrown them out."[1]

In Adams' opinion the Liberals were on the whole more friendly, at least, to the North than were the Conservatives, and he therefore considered it best not to press too harshly upon the Government.

But the concluding sentence of this same letter was significant: "I wait with patience—but as yet I have not gone so far as to engage a house for more than a month at a time. . . ." He might himself be inclined to view more leniently the Proclamation of Neutrality and be able to find excuses for the alleged haste with which it had been issued, but his instructions required strong representations, especially on the latter point. Adams' report to Seward of June 14, just noted, on the interview with Russell of June 12, after treating of privateering and the Southern commissioners, turns in greater length to the alleged pledge of delay given by Russell to Dallas, and to the violation of that pledge in a hasty issue of the Proclamation. He renews attack on the line already taken on May 18.[2] From this time on, throughout and after the war, this criticism was repeatedly made and with increasing bitterness. British friends of the North joined in the American outcry.

[1] *A Cycle of Adams' Letters*, 1861-1865, Vol. I, p. 11. Adams to C. F. Adams, Jnr., June 14, 1861.

[2] See *ante*, p. 98. Russell's report to Lyons of this interview of June 12, lays special emphasis on Adams' complaint of haste. *Parliamentary Papers*, 1862, *Lords*, Vol. XXV, "Correspondence on Civil War in the United States," No. 52. Russell to Lyons, June 21, 1861.

By mere reiteration it became in the popular mind on both sides of the Atlantic an accepted and well-founded evidence of British governmental unfriendliness in May, 1861. At the conclusion of the Civil War, John Bright in Parliament, commenting on the causes of American ill-will, declared that the Government of 1861, knowing that Adams was on his way, should in mere courtesy, have waited his arrival. Then, said Bright, the Proclamation, entirely justifiable in itself, might have been issued without offence and without embittering the United States.[1]

Had in fact a " pledge to wait " been given to Dallas ; and was the Proclamation hasty and premature ? Russell always denied he had given any such pledge, and the text of Dallas' report of the interview of May 1 would seem to support that denial.[2] On that day Russell for the second time told Dallas that England would not commit herself, as yet, as regards Southern recognition, clearly meaning a recognition of *sovereignty*, not of belligerency, and immediately asked Dallas what the rumours of a blockade meant. Dallas replied that he had no information on this point, and Russell " acquiesced in the expediency of disregarding mere rumour, and waiting the full knowledge to be brought by my successor. The motion, therefore, of Mr. Gregory may be further postponed, at his lordship's suggestion."

The unprejudiced interpretation of this report is merely that Russell refrained from pressing Dallas about a matter—blockade—of which Dallas knew nothing, agreeing that this would be explained by Adams, and especially that he let Dallas understand that Gregory's motion, which was one for *recognizing the independence and sovereignty of the South*, would be postponed. If there was a pledge here it was a pledge not to recognize Southern sovereignty until after Adams' arrival.

[1] Hansard, 3rd. Ser., CLXXVII, pp. 1620-21, March 13, 1865.
[2] See *ante*, p. 85.

But even if there was no promise of delay " there can be no question," writes the son of Adams in a brief biography of his father, " that the proclamation of the 13th was issued with unseemly haste. . . . The purpose was manifest. It was to have the status of the Confederacy as a belligerent an accomplished fact before the arrival of the newly accredited minister. This precipitate action was chiefly significant as indicating an animus; that animus being really based on . . . the belief, already matured into a conviction, that the full recognition of the Confederacy as an independent power was merely a question of time, and probably of a very short time."[1] The author does not, however, support the contemporary American contention that *any* Proclamation was contrary to international custom and that no recognition of belligerent status was permissible to neutrals until the " insurgents " had forced the mother country itself to recognize the division as fully accomplished, even while war still continued. Indeed American practice was flatly contradictory of the argument, as in the very pertinent example of the petty Canadian rebellion of 1837, when President Van Buren had promptly issued a proclamation of neutrality. It is curious that in his several replies to Seward's complaints Russell did not quote a letter from Stevenson, the American Minister to London, addressed to Palmerston, May 22, 1838. Stevenson was demanding disavowal and disapproval of the " Caroline " affair, and incidentally he asserted as an incontrovertible principle " that civil wars are not distinguished from other wars, as to belligerent and neutral rights; that they stand upon the same ground, and are governed by the same principles; that whenever

[1] C. F. Adams, *Charles Francis Adams*, p. 172. In preparing a larger life of his father, never printed, the son later came to a different opinion, crediting Russell with foresight in hastening the Proclamation to avoid possible embarrassment with Adams on his arrival. The quotation from the printed " Life " well summarizes, however, current American opinion.

a portion of a State seek by force of arms to overthrow the Government, and maintain independence, the contest becomes one *de facto* of war."[1] This was as exact, and correct, a statement of the British view as could have been desired.[2]

The American Minister, whatever his official representation, did not then hold, privately, the view of "unfriendly animus." On July 2, 1861, his secretary son wrote: "The English are really on our side; of that I have no doubt whatever. [Later he was less sure of this.] But they thought that as a dissolution seemed inevitable and as we seemed to have made up our minds to it, that their Proclamation was just the thing to keep them straight with both sides, and when it turned out otherwise they did their best to correct their mistake."[3] The modern historical judgment of the best American writers likewise exonerates the British Government of "unfriendly animus,"[4] but is still apt to refer to the "premature" issue of the Proclamation.

This was also John Bright's view. But can Russell and the Government be criticized even as exercising an unwise (not unfriendly) haste? Henry Adams wrote that the British thought the "dissolution seemed inevitable" and "we seemed to have made up our minds to it." Certainly this was a justifiable conclusion from the events in America from Lincoln's election in November, 1860, to his inauguration in March, 1861—and even to a later date, almost in

[1] *U.S. Documents*, Ser. No. 347, Doc. 183, p. 6.

[2] The United States Supreme Court in 1862, decided that Lincoln's blockade proclamation of April 19, 1861, was "itself official and conclusive evidence . . . that a state of war existed." (Moore, Int. Law Digest, I, p. 190.)

[3] *A Cycle of Adams' Letters*, I, p. 16. Henry Adams to C. F. Adams, Jnr.

[4] Rhodes, *History of the United States*, III, p. 420 (*note*) summarizes arguments on this point, but thinks that the Proclamation might have been delayed without harm to British interests. This is perhaps true as a matter of historical fact, but such fact in no way alters the compulsion to quick action felt by the Ministry in the presence of probable *immediate* fact.

fact to the first week in April. During this period the British Ministry preserved a strictly "hands off" policy. Then, suddenly, actual conflict begins and at once each side in America issues declarations, Davis on privateering, Lincoln on blockade and piracy, indicative that *maritime* war, the form of war at once most dangerous to British interests and most likely to draw in British citizens, was the method first to be tried by the contestants. Unless these declarations were mere bluff and bluster England could not dare wait their application. She must at once warn her citizens and make clear her position as a neutral. The Proclamation was no effort "to keep straight with both sides"; it was simply the natural, direct, and prompt notification to British subjects required in the presence of a *de facto* war.

Moreover, merely as a matter of historical speculation, it was fortunate that the Proclamation antedated the arrival of Adams. The theory of the Northern administration under which the Civil War was begun and concluded was that a portion of the people of the United States were striving as "insurgents" to throw off their allegiance, and that there could be no recognition of any Southern *Government* in the conflict. In actual practice in war, the exchange of prisoners and like matters, this theory had soon to be discarded. Yet it was a far-seeing and wise theory nevertheless in looking forward to the purely domestic and constitutional problem of the return to the Union, when conquered, of the sections in rebellion. This, unfortunately, was not clear to foreign nations, and it necessarily complicated relations with them. Yet under that theory Adams had to act. Had he arrived before the Proclamation of Neutrality it is difficult to see how he could have proceeded otherwise than to protest, officially, against any British declaration of neutrality, declaring that his Government did not acknowledge a state of war as existing, and threaten-

ing to take his leave. It would have been his duty to *prevent*, if possible, the issue of the Proclamation. Dallas, fortunately, had been left uninformed and uninstructed. Adams, fortunately, arrived too late to prevent and had, therefore, merely to complain. The " premature " issue of the Proclamation averted an inevitable rupture of relations on a clash between the American theory of " no state of war " and the international fact that war existed. Had that rupture occurred, how long would the British Government and people have remained neutral, and what would have been the ultimate fate of the United States ?[1]

[1] This was the later view of C. F. Adams, Jnr. He came to regard the delay in his father's journey to England as the most fortunate single incident in American foreign relations during the Civil War.

CHAPTER IV

BRITISH SUSPICION OF SEWARD

THE incidents narrated in the preceding chapter have been considered solely from the point of view of a formal American contention as to correct international practice and the British answer to that contention. In fact, however, there were intimately connected with these formal arguments and instructions of the American Secretary of State a plan of possible militant action against Great Britain and a suspicion, in British Governmental circles, that this plan was being rapidly matured. American historians have come to stigmatize this plan as "Seward's Foreign War Panacea," and it has been examined by them in great detail, so that there is no need here to do more than state its main features. That which is new in the present treatment is the British information in regard to the plan and the resultant British suspicion of Seward's intentions.

The British public, as distinguished from the Government, deriving its knowledge of Seward from newspaper reports of his career and past utterances, might well consider him as traditionally unfriendly to Great Britain. He had, in the 'fifties, vigorously attacked the British interpretation of the Clayton-Bulwer Treaty and characterized Great Britain as "the most grasping and the most rapacious Power in the world"; he had long prophesied the ultimate annexation of Canada to the United States; he had not disdained, in political struggles in the State of New York, to whip up, for the sake of votes, Irish antagonism to Great Britain; and more especially and more recently he had been reported

to have expressed to the Duke of Newcastle a belief that civil conflict in America could easily be avoided, or quieted, by fomenting a quarrel with England and engaging in a war against her.[1] Earlier expressions might easily be overlooked as emanating from a politician never over-careful about wounding the sensibilities of foreign nations and peoples, for he had been even more outspoken against the France of Louis Napoleon, but the Newcastle conversation stuck in the British mind as indicative of a probable animus when the politician had become the statesman responsible for foreign policy. Seward might deny, as he did, that he had ever uttered the words alleged,[2] and his friend Thurlow Weed might describe the words as "badinage," in a letter to the London *Times*,[3] but the "Newcastle story" continued to be matter for frequent comment both in the Press and in private circles.

British Ministers, however, would have paid little attention to Seward's speeches intended for home political consumption, or to a careless bit of social talk, had there not been suspicion of other and more serious evidences of unfriendliness. Lyons was an unusually able and well-informed Minister, and from the first he had pictured the leadership of Seward in the new administration at Washington, and had himself been worried by his inability to understand what policy Seward was formulating. But, in fact, he did not see clearly what was going on in the camp of the Republican party now dominant in the North. The essential feature of the situation was that Seward, generally regarded as the man whose wisdom must guide the ill-trained Lincoln, and himself thinking this to be his destined function, early found his authority challenged by other leaders, and his

[1] See *ante*, p. 80.

[2] Barnes, *Life of Thurlow Weed*, II, p. 378. Seward to Weed, December 27, 1861.

[3] *Ibid.*, p. 355. Weed's letter was on the *Trent* affair, but he went out of his way to depict Seward as attempting a bit of humour with Newcastle.

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(From Lord Newton's "Life of Lord Lyons," by kind permission)

policies not certain of acceptance by the President. It is necessary to review, briefly, the situation at Washington.

Lincoln was inaugurated as President on March 4. He had been elected as a Republican by a political party never before in power. Many of the leading members of this party were drawn from the older parties and had been in administrative positions in either State or National Governments, but there were no party traditions, save the lately created one of opposition to the expansion of slavery to the Territories. All was new, then, to the men now in power in the National Government, and a new and vital issue, that of secession already declared by seven Southern States, had to be met by a definite policy. The important immediate question was as to whether Lincoln had a policy, or, if not, upon whom he would depend to guide him.

In the newly-appointed Cabinet were two men who, in popular estimate, were expected to take the lead—Chase, of Ohio, the Secretary of the Treasury, and Seward, of New York, Secretary of State. Both were experienced in political matters and both stood high in the esteem of the anti-slavery element in the North, but Seward, all things considered, was regarded as the logical leading member of the Cabinet. He had been the favoured candidate for Republican Presidential nomination in 1860, making way for Lincoln only on the theory that the latter as less Radical on anti-slavery, could be more easily elected. Also, he now held that position which by American tradition was regarded as the highest in the Cabinet.

In fact, everyone at Washington regarded it as certain that Seward would determine the policy of the new administration. Seward's own attitude is well summed up in a despatch to his Government, February 18, 1861, by Rudolph Schleiden, Minister from the Republic of Bremen. He described a conversation with Seward in regard to his relations with Lincoln :

"Seward, however, consoled himself with the clever remark, that there is no great difference between an elected president of the United States and an hereditary monarch. The latter is called to the throne through the accident of birth, the former through the chances which make his election possible. The actual direction of public affairs belongs to the leader of the ruling party, here as well as in any hereditary principality.

"The future President is a self-made man and there is therefore as little doubt of his energy as of his proverbial honesty ('honest old Abe'). It is also acknowledged that he does not lack common sense. But his other qualities for the highest office are practically unknown. His election may therefore be readily compared with a lottery. It is possible that the United States has drawn the first prize, on the other hand the gain may only have been a small one. But unfortunately the possibility is not excluded that it may have been merely a blank."

The first paragraph of this quotation reports Seward's opinion; the second is apparently Schleiden's own estimate. Two weeks later Schleiden sent home a further analysis of Lincoln:

"He makes the impression of a natural man of clear and healthy mind, great good-naturedness and best intentions. He seems to be fully conscious of the great responsibility which rests upon him. But at the same time it appears as if he had lost some of his famous firmness and resoluteness through the novelty of the conditions which surround him and the hourly renewed attempts from various sides to gain influence over him. He is therefore at present inclined to concede double weight to the superior political experience of his Secretary of State."[1]

[1] Schleiden, a native of Schleswig, was educated at the University of Berlin, and entered the Danish customs service. In the German revolution of 1848 he was a delegate from Schleswig-Holstein to the Frankfort Parliament. After the failure of that revolution he withdrew to Bremen and in 1853 was sent by that Republic to the United States as Minister. By 1860 he had become one of the best known and socially popular of the Washington diplomatic corps, holding intimate relations with leading Americans both North and South. His reports on events preceding and

This was written on March 4, and the situation was correctly described. Seward led for the moment, but his supremacy was not unchallenged and soon a decision was called for that in its final solution was to completely overthrow his already matured policy towards the seceding States. Buchanan had been pressed by South Carolina to yield possession of federal property in that State and especially to withdraw Federal troops from Fort Sumter in Charleston Harbour. After some vacillation he had refused to do this, but had taken no steps to reinforce and re-supply the weak garrison under the command of Major Anderson. On March 5, Lincoln learned that Sumter would soon have to be yielded unless reinforcements were sent. There followed ten days of delay and indecision ; then on March 15 Lincoln requested from each member of his Cabinet an opinion on what should be done. This brought to an issue the whole question of Seward's policy and leadership.

For Seward's policy, like that of Buchanan, was one of conciliatory delay, taking no steps to bring matters to an issue, and trusting to time and a sobering second thought to bring Southern leaders and people to a less violent attitude. He sincerely believed in the existence of an as yet unvoiced strong Union sentiment in the South, especially in those States which were wavering on secession. He was holding communications, through intermediaries, with certain Confederate " Commissioners " in Washington, and

during the Civil War were examined in the archives of Bremen in 1910 by Dr. Ralph H. Lutz when preparing his doctor's thesis, " Die Beziehungen zwischen Deutschland und den Vereinigten Staaten während des Sezessionskrieges " (Heidelberg, 1911). My facts with regard to Schleiden are drawn in part from this thesis, in part from an article by him, " Rudolph Schleiden and the Visit to Richmond, April 25, 1861," printed in the *Annual Report of the American Historical Association* for 1915, pp. 207-216. Copies of some of Schleiden's despatches are on deposit in the Library of Congress among the papers of Carl Schurz. Through the courtesy of Mr. Frederic Bancroft, who organized the Schurz papers, I have been permitted to take copies of a few Schleiden despatches relating to the visit to Richmond, an incident apparently unknown to history until Dr. Lutz called attention to it.

he had agents in Virginia attempting to influence that State against secession. To all these Southern representatives he now conveyed assurances quite without warrant from Lincoln, that Sumter would be evacuated, acting solely in the belief that his own "policy" would be approved by the President. His argument in reply to Lincoln's call for an opinion was positive against reinforcing Fort Sumter, and it seemed to meet, for the moment, with the approval of the majority of his Cabinet colleagues. Lincoln himself made no pertinent comment, yet did not commit himself.

There the matter rested for a time, for the Confederate Commissioners, regarding Seward's policy of delay as wholly beneficial to the maturing of Southern plans, and Seward "as their cat's-paw,"[1] did not care to press for a decision. Moreover, Seward had given a personal pledge that in case it were, after all, determined to reinforce Sumter, notification of that determination would at once be given to South Carolina. The days went by, and it was not until the last week of March that Lincoln, disillusioned as to the feasibility of Seward's policy of conciliation, reached the conclusion that in his conception of his duty as President of the United States he must defend and retain Federal forts, or attempt to retain them, for the preservation of the Union, and decided to reinforce Fort Sumter. On March 29, the Cabinet assembled at noon and learned Lincoln's determination.

This was a sharp blow to Seward's prestige in the Cabinet; it also threatened his "peaceful" policy. Yet he did not as yet understand fully that either supreme leadership, or control of policy, had been assumed by Lincoln. On April 1 he drafted that astonishing document entitled, "Some Thoughts for the President's Consideration," which at once reveals his alarm and his supreme personal self-confidence. This document begins, "We are at the end of a month's administration, and yet without a policy

[1] This is Bancroft's expression. *Seward*, II, p. 118.

either domestic or foreign." It then advocates as a domestic policy, "*Change The Question Before The Public From One Upon Slavery, Or About Slavery,* for a question upon *Union or Disunion.*" Then in a second section, headed "For Foreign Nations," there followed:

> "I would demand explanations from Spain and France, categorically, at once.
>
> "I would seek explanations from Great Britain and Russia, and send agents into Canada, Mexico and Central America to rouse a vigorous continental spirit of independence on this continent against European intervention.
>
> "And, if satisfactory explanations are not received from Spain and France,
>
> "Would convene Congress and declare war against them.
>
> "But whatever policy we adopt, there must be energetic prosecution of it.
>
> "For this purpose it must be somebody's business to pursue and direct it incessantly.
>
> "Either the President must do it himself, and be all the while active in it, or
>
> "Devolve it on some member of his Cabinet. Once adopted, debates on it must end, and all agree and abide.
>
> "It is not in my especial province;
>
> "But I neither seek to evade nor assume responsibility."[1]

Lincoln's reply of the same day, April 1, was characteristically gentle, yet no less positive and definite to any save one obsessed with his own superior wisdom. Lincoln merely noted that Seward's "domestic policy" was exactly his own, except that he did not intend to abandon Fort Sumter. As to the warlike foreign policy Lincoln pointed out that this would be a sharp reversal of that already being prepared in circulars and instructions to Ministers abroad. This was, indeed, the case, for the first instructions, soon despatched, were drawn on lines of recalling to foreign powers their established and long-continued friendly

[1] Lincoln, *Works*, II, 29.

relations with the United States. Finally, Lincoln stated as to the required "guiding hand," I remark that if this must be done, I must do it. . . . I wish, and suppose I am entitled to have, the advice of all the Cabinet."[1]

This should have been clear indication of Lincoln's will to direct affairs, and even to Seward would have been sufficient had he not, momentarily, been so disturbed by the wreck of his pacific policy toward the South, and as yet so ignorant of the strength of Lincoln's quiet persistence. As it was, he yielded on the immediate issue, the relief of Sumter (though attempting to divert reinforcements to another quarter) but did not as yet wholly yield either his policy of conciliation and delay, nor give up immediately his insane scheme of saving the Union by plunging it into a foreign war. He was, in fact, still giving assurances to the Confederate commissioners, through indirect channels, that he could and would prevent the outbreak of civil war, and in this confidence that his ideas would finally control Lincoln he remained up to the second week in April. But on April 8 the first of the ships despatched to the aid of Sumter left New York, and on that day Governor Pickens of South Carolina was officially notified of the Northern purpose. This threw the burden of striking the first blow upon the South; if Southern threats were now made good, civil war seemed inevitable, and there could be no peaceful decision of the quarrel.

The reinforcements did not arrive in time. Fort Sumter, after a day and a half of dogged fighting, was surrendered to the enemy on April 13—for as an enemy in arms the South now stood. The fall of Sumter changed, as in a moment, the whole attitude of the Northern people. There was now a nearly unanimous cry for the preservation of the Union *by force*. Yet Seward still clung, privately, to his belief that even now the "sober second thought" of the

[1] *Ibid.*, p. 30.

South would offer a way out toward reunion without war. In official utterances and acts he was apparently in complete harmony with the popular will to reconquer the South. Davis' proclamation on marque and privateering, of April 17, was answered by the Lincoln blockade proclamation of April 19. But Virginia had not yet officially seceded, and until this occurred there seemed to Seward at least one last straw of conciliation available. In this situation Schleiden, Minister for Bremen, came to Seward on the morning of April 24 and offered his services as a mediator.[1]

Schleiden's idea was that an armistice be agreed upon with the South until the Northern Congress should meet in July, thus giving a breathing spell and permitting saner second judgment to both sides. He had consulted with his Prussian colleague, who approved, and he found Seward favourable to the plan. Alexander H. Stephens, Vice-President of the Confederacy, was then at Richmond, and to him, as an old friend, Schleiden proposed to go and make the same appeal. Seward at once took Schleiden to see Lincoln. The three men, with Chase (and the Prussian Minister) were the only ones in the secret. Lincoln's first comment was that he was " willing to make an attempt of contributing to the prevention of bloodshed and regretted that Schleiden had not gone to Richmond without consulting him or Seward." Lincoln further stated that " he did not have in mind any aggression against the Southern States, but merely the safety of the Government in the Capitol and the possibility to govern everywhere," a concluding phrase that should have enlightened Schleiden as to Lincoln's determination to preserve the Union. Lincoln said he could neither authorize negotiations nor invite proposals, but that he would gladly consider any such proposals voluntarily made. Schleiden asked for a definite

[1] For references to this whole matter of Schleiden's visit to Richmond see *ante*, p. 116, note 1.

statement as to whether Lincoln would recall the blockade proclamation and sign an armistice if Davis would recall the letters of marque proclamation, but Lincoln refused to commit himself.

This was scant encouragement from the President, but Seward still thought something might result from the venture, and on that evening, April 24, Schleiden started for Richmond, being provided by Seward with a pass through the Union lines. He arrived on the afternoon of the twenty-fifth, but even before reaching the city was convinced that his mission would be a failure. All along his journey, at each little station, he saw excited crowds assembled enthusiastic for secession, bands of militia training, and every indication of preparation for war. Already, on that same day, the Virginia secession ordinance had been published, and the State convention had ratified the provisional constitution of the Southern Confederacy. Schleiden immediately notified Stephens of his presence in Richmond and desire for an interview, and was at once received. The talk lasted three hours. Stephens was frank and positive in asserting the belief that " all attempts to settle peacefully the differences between the two sections were futile." Formal letters were exchanged after this conference, but in these the extent to which Stephens would go was to promise to use his influence in favour of giving consideration to any indication made by the North of a desire " for an amicable adjustment of the questions at issue," and he was positive that there could be no return of the South to the Union.

On the afternoon of April 27 Schleiden was back in Washington. He found that three days had made a great change in the sentiment of the Capitol. " During my short absence," he wrote, " many thousands of volunteers had arrived from the North. There was not only a feeling of security noticeable, but even of combativeness." He found

Seward not at all disposed to pursue the matter, and was not given an opportunity to talk to Lincoln; therefore, he merely submitted copies of the letters that had passed between him and Stephens, adding for himself that the South was arming *because* of Lincoln's proclamation calling for volunteers. Seward replied on April 29, stating his personal regards and that he had no fault to find with Schleiden's efforts, but concluding that Stephens' letters gave no ground for action since the "Union of these States is the supreme as it is the organic law of this country," and must be maintained.

This adventure to Richmond by the Minister of Bremen may be regarded as Seward's last struggle to carry out his long-pursued policy of conciliatory delay. He had not officially sent Schleiden to Richmond, but he had grasped eagerly at the opening and had encouraged and aided Schleiden in his journey. Now, by April 27, hope had vanished, and Seward's "domestic policy," as set forth in his "Thoughts for the President's Consideration" on April 1, was discredited, and inevitably, in some measure, their author also. The dates are important in appreciating Seward's purposes. On April 27, the day of Schleiden's return to Washington, there was sent to Adams that "sharp" despatch, taking issue with British action as foreshadowed by Dallas on April 9, and concluding by instructing Adams to lose no time in warning Russell that such action would be regarded by the United States as "injurious to its rights and derogating from its dignity."[1] It appears, therefore, that Seward, defeated on one line of "policy," eager to regain prestige, and still obsessed with the idea that some means could yet be found to avert

[1] *U.S. Messages and Documents*, 1861-2, p. 82. This, and other despatches have been examined at length in the previous chapter in relation to the American protest on the Queen's Proclamation of Neutrality. In the present chapter they are merely noted again in their bearing on Seward's "foreign war policy."

domestic conflict, was, on April 27, beginning to pick at those threads which, to his excited thought, might yet save the Union through a foreign war. He was now seeking to force the acceptance of the second, and alternative, portion of his "Thoughts for the President."

Seward's theory of the cementing effect of a foreign war was no secret at Washington. As early as January 26 he had unfolded to Schleiden this fantastic plan. "If the Lord would only give the United States an excuse for a war with England, France, or Spain," he said "that would be the best means of re-establishing internal peace."[1] Again, on February 10, he conversed with Schleiden on the same topic, and complained that there was no foreign complication offering an excuse for a break. Lyons knew of this attitude, and by February 4 had sent Russell a warning, to which the latter had replied on February 20 that England could afford to be patient for a time but that too much "blustering demonstration" must not be indulged in. But the new administration, as Lincoln had remarked in his reply to Seward on April 1, had taken quite another line, addressing foreign powers in terms of high regard for established friendly relations. This was the tone of Seward's first instruction to Adams, April 10,[2] in the concluding paragraph of which Seward wrote, "The United States are not indifferent to the circumstances of common descent, language, customs, sentiments, and religion, which recommend a closer sympathy between themselves and Great Britain than either might expect in its intercourse with any other nation." True, on this basis, Seward claimed a special sympathy from Great Britain for the United States, that is to

[1] Quoted by Lutz, *Am. Hist. Assn. Rep.* 1915, p. 210.

[2] *U.S. Messages and Documents*, 1861-2, p. 80. This despatch was read by Seward on April 8 to W. H. Russell, correspondent of the *Times*, who commented that it contained some elements of danger to good relations, but it is difficult to see to what he could have had objection.—Russell, *My Diary*, I, p. 103.

say, the North, but most certainly the tone of this first instruction was one of established friendship.

Yet now, April 27, merely on learning from Dallas that Russell "refuses to pledge himself" on British policy, Seward resorts to threats. What other explanation is possible except that, seeking to save his domestic policy of conciliation and to regain his leadership, he now was adventuring toward the application of his "foreign war panacea" idea. Lyons quickly learned of the changed tone, and that England, especially, was to hear American complaint. On May 2 Lyons wrote to Russell in cypher characterizing Seward as "arrogant and reckless toward Foreign Powers."[1] Evidently Seward was making little concealment of his belligerent attitude, and when the news was received of the speeches in Parliament of the first week in May by which it became clear that Great Britain would declare neutrality and was planning joint action with France, he became much excited. On May 17 he wrote a letter home exhibiting, still, an extraordinary faith in his own wisdom and his own foreign policy.

> "A country so largely relying on my poor efforts to save it had [has] refused me the full measure of its confidence, needful to that end. I am a chief reduced to a subordinate position, and surrounded by a guard, to see that I do not do too much for my country, lest some advantage may revert indirectly to my own fame.
>
> ". . . They have misunderstood things fearfully, in Europe, Great Britain is in danger of sympathizing so much with the South, for the sake of peace and cotton, as to drive us to make war against her, as the ally of the traitors. . . . I am trying to get a bold remonstrance through the Cabinet before it is too late."[2]

The "bold remonstrance" was the famous "Despatch No. 10," of May 21, already commented upon in the pre-

[1] Russell Papers.
[2] Bancroft, *Seward*, II, p. 169.

ceding chapter. But as sent to Adams it varied in very important details from the draft submitted by Seward to Lincoln.[1]

Seward's draft was not merely a "remonstrance"; it was a challenge. Its language implied that the United States desired war, and Seward's plan was to have Adams read the despatch to Russell, give him a copy of it, and then discontinue diplomatic relations so long as Russell held either official or unofficial intercourse with the Southern Commissioners. This last instruction was, indeed, retained in the final form of the despatch, but here, as elsewhere, Lincoln modified the stiff expressions of the original. Most important of all, he directed Adams to consider the whole despatch as for his own guidance, relying on his discretion. The despatch, as amended, began with the statement that the United States "neither means to menace Great Britain nor to wound the sensibilities of that or any other European nation. . . . The paper itself is not to be read or shown to the British Secretary of State, nor any of its positions to be prematurely, unnecessarily, or indiscreetly made known. But its spirit will be your guide."[2] Thus were the teeth skil-

[1] Yet at this very time Seward was suggesting, May 14, to Prussia, Great Britain, France, Russia and Holland a joint naval demonstration with America against Japan because of anti-foreign demonstrations in that country. This has been interpreted as an attempt to tie European powers to the United States in such a way as to hamper any friendly inclination they may have entertained toward the Confederacy (Treat, *Japan and the United States*, 1853-1921, pp. 49-50. Also Dennet, "Seward's Far Eastern Policy," in *Am. Hist. Rev.*, Vol. XXVIII, No. 1. Dennet, however, also regards Seward's overture as in harmony with his determined policy in the Far East.) Like Seward's overture, made a few days before, to Great Britain for a convention to guarantee the independence of San Domingo (F.O., Am., Vol. 763, No. 196, Lyons to Russell, May 12, 1861) the proposal on Japan seems to me to have been an erratic feeling-out of international attitude while in the process of developing a really serious policy—the plunging of America into a foreign war.

[2] *U.S. Messages and Documents*, 1861-2, p. 88. The exact facts of Lincoln's alteration of Despatch No. 10, though soon known in diplomatic circles, were not published until the appearance in 1890 of Nicolay and Hay's *Lincoln*, where the text of a portion of the original draft, with Lincoln's changes were printed (IV, p. 270). Gideon Welles, Secretary of the Navy in Lincoln's Cabinet, published a short book in 1874, *Lincoln and Seward*, in which

fully drawn from the threat of war. Even the positive instructions, later in the despatch, as to the Southern Commissioners, need not have been acted upon by Adams had he not thought it wise to do so. But even with alterations, the American remonstrance was so bold as to alarm Adams. On first perusual he wrote in his diary, June 10, "The Government seems almost ready to declare war with all the powers of Europe, and almost instructs me to withdraw from communication with the Ministers here in a certain contingency. . . . I scarcely know how to understand Mr. Seward. The rest of the Government may be demented for all I know; but he surely is calm and wise. My duty here is in so far as I can do it honestly to prevent the irritation from coming to a downright quarrel. It seems to me like throwing the game into the hands of the enemy."[2]

Adams, a sincere admirer of Seward, was in error as to the source of American belligerent attitude. Fortunately, his judgment of what was wise at the moment coincided with that of Lincoln's—though of this he had no knowledge. In the event Adams' skilful handling of the situation resulted favourably—even to the cessation of intercourse between Russell and the Southern Commissioners. For his part, Lincoln, no more than earlier, was to be hurried into foreign complications, and Seward's "foreign war panacea" was stillborn.

The incident was a vital one in the Northern administration, for Seward at last realized that the President intended to control policy, and though it was yet long before he came to appreciate fully Lincoln's customary calm judgment, he did understand the relation now established between

the story was told, but without dates and so vaguely that no attention was directed to it. Apparently the matter was not brought before the Cabinet and the contents of the despatch were known only to Lincoln, Seward, and the Chairman of the Senate Committee on Foreign Relations, Sumner.

[2] C. F. Adams, "Seward and the Declaration of Paris," p. 21. Reprint from *Mass. Hist. Soc. Proceedings*, XLVI, pp. 23-81.

himself and his chief. Henceforth, he obeyed orders, though free in suggestion and criticism, always welcome to Lincoln. The latter, avowedly ignorant of diplomacy, gladly left details to Seward, and the altered despatch, far from making relations difficult, rendered them simple and easy, by clearing the atmosphere. But it was otherwise with Foreign Ministers at Washington, for even though there was soon a " leak " of gossip informing them of what had taken place in regard to Despatch No. 10, they one and all were fearful of a recovery of influence by Seward and of a resumption of belligerent policy. This was particularly true of Lord Lyons, for rumour had it that it was against England that Seward most directed his enmity. There resulted for British diplomats both at Washington and in London a deep-seated suspicion of Seward, long after he had made a complete face-about in policy. This suspicion influenced relations greatly in the earlier years of the Civil War.

On May 20, the day before Seward's No. 10 was dated, Lyons wrote a long twelve-page despatch to Russell, anxious, and very full of Seward's warlike projects. " The President is, of course, wholly ignorant of foreign countries, and of foreign affairs." " Seward, having lost strength by the failure of his peace policy, is seeking to recover influence by leading a foreign war party ; no one in the Cabinet is strong enough to combat him." Britain, Lyons thought, should maintain a stiff attitude, prepare to defend Canada, and make close contacts with France. He was evidently anxious to impress upon Russell that Seward really might mean war, but he declared the chief danger to lie in the fact of American belief that England and France could not be driven into war with the United States, and that they would submit to any insult. Lyons urged some action, or declaration (he did not know what), to correct this false impression.[1]

[1] F.O., Am., Vol. 764, No. 206, Confidential.

Again, on the next day, May 21, the information in his official despatch was repeated in a private letter to Russell, but Lyons here interprets Seward's threats as mere bluster. Yet he is not absolutely sure of this, and in any case insists that the best preventative of war with the United States is to show that England is ready for it.[1]

It was an anxious time for the British Minister in Washington. May 22, he warned Sir Edmund Head, Governor of Canada, urging him to make defensive preparation.[2] The following day he dilated to Russell, privately, on "the difficulty of keeping Mr. Seward within the bounds of decency even in ordinary social intercourse . . ."[3] and in an official communication of this same day he records Washington rumours of a belligerent despatch read by Seward before the Cabinet, of objections by other members, and that Seward's insistence has carried the day.[4] That Seward was, in fact, still smarting over his reverse is shown by a letter, written on this same May 23, to his intimate friend and political adviser, Thurlow Weed, who had evidently cautioned him against precipitate action. Seward wrote, "The European phase is bad. But your apprehension that I may be too decisive alarms me more. Will you consent, or advise us to consent, that Adams and Dayton have audiences and compliments in the Ministers' Audience Chamber, and Toombs' [Confederate Secretary of State] emissaries have access to his bedroom?"[5]

Two interpretations are possible from this: either

[1] Russell Papers. This letter has been printed, in part, in Newton, *Lyons*, I, 41.

[2] Lyons Papers.

[3] *Ibid.*, Lyons to Russell, May 23, 1861.

[4] F.O., Am., Vol. 764, No. 209, Confidential, Lyons to Russell, May 23, 1861. A brief "extract" from this despatch was printed in the British *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States," No. 48. The "extract" in question consists of two short paragraphs only, printed, without any indication of important elisions, in each of the paragraphs.

[5] Bancroft, *Seward*, II, p. 174.

that Seward knowing himself defeated was bitter in retrospect, or that he had not yet yielded his will to that of Lincoln, in spite of the changes made in his Despatch No. 10. The former interpretation seems the more likely, for though Seward continued to write for a time " vigorous " despatches to Adams, they none of them approached the vigour of even the amended despatch. Moreover, the exact facts of the Cabinet of May 21, and the complete reversal of Seward's policy were sufficiently known by May 24 to have reached the ears of Schleiden, who reported them in a letter to Bremen of that date.[1] And on the same day Seward himself told Schleiden that he did " not fear any longer that it would come to a break with England."[2] On May 27 Lyons himself, though still suspicious that an attempt was being made to separate France and England, was able to report a better tone from Seward.[3]

British Ministers in London were not so alarmed as was Lyons, but they were disturbed, nevertheless, and long preserved a suspicion of the American Secretary of State. May 23, Palmerston wrote to Russell in comment on Lyons' despatch of May 2 : " These communications are very unpleasant. It is not at all unlikely that either from foolish and uncalculating arrogance and self-sufficiency or from political calculation Mr. Seward may bring on a quarrel with us."[4] He believed that more troops ought

[1] Lutz, " Notes." The source of Schleiden's information is not given in his despatch. He was intimate with many persons closely in touch with events, especially with Sumner, Chairman of the Senate Committee on Foreign Relations, and with Blair, a member of the Cabinet.

[2] *Ibid.*, Schleiden to Republic of Bremen, May 27, 1861.

[3] Bancroft, *Seward*, II, p. 179, sets the date as June 8 when Seward's instructions for England and France show that he had " recovered his balance." This is correct for the change in tone of despatches, but the acceptance of Lincoln's policy must have been immediate. C. F. Adams places the date for Seward's complete change of policy much later, describing his " war mania " as lasting until the Northern defeat of Bull Run, July 21. I think this an error, and evidence that it is such appears later in the present chapter. See Charles Francis Adams, " Seward and the Declaration of Paris," *Mass. Hist. Soc. Proceedings*, XLVI, pp. 23-81.

[4] Russell Papers.

to be sent to Canada, as a precautionary measure, but, he added, " the main Force for Defence must, of course, be local "—a situation necessarily a cause for anxiety by British Ministers. Russell was less perturbed. He had previously expressed appreciation of Adams' conduct, writing to Lyons : " Mr. Adams has made a very favourable impression on my mind as a calm and judicious man,"[1] and he now wrote : " I do not think Mr. Seward's colleagues will encourage him in a game of brag with England. . . . I am sorry Seward turns out so reckless and ruthless. Adams seems a sensible man."[2] But at Washington Lyons was again hot on the trail of warlike rumours. As a result of a series of conversations with Northern politicians, not Cabinet members, he sent a cipher telegram to Russell on June 6, stating : " No new event has occurred but sudden declaration of war by the United States against Great Britain appears to me by no means impossible, especially so long as Canada seems open to invasion."[3] This was followed two days later by a despatch dilating upon the probability of war, and ending with Lyons' opinion of how it should be conducted. England should strike at once with the largest possible naval force and bring the war to an end before the United States could prepare. Otherwise, " the spirit, the energy, and the resources of this people " would make them difficult to overcome. England, on her part, must be prepared to suffer severely from American privateers, and she would be forced to help the South, at least to the extent of keeping Southern ports open. Finally, Lyons concluded, all of this letter and advice were extremely distasteful to him, yet he felt compelled to write it by the seriousness of the situation. Nevertheless, he would exert every effort and use every method to conciliate America.[4]

[1] Lyons Papers, May 21, 1861.
[2] *Ibid.*, Russell to Lyons, May 25, 1861.
[3] F.O., Am., Vol. 765, No. 253.
[4] *Ibid.*, No. 263, Lyons to Russell, June 8, 1861.

In truth, it was not any further belligerent talk by Seward that had so renewed Lyons' anxiety. Rather it was the public and Press reception of the news of the Queen's Proclamation of Neutrality. The Northern people, counting beyond all reasonable expectation upon British sympathy on anti-slavery grounds, had been angrily disappointed, and were at the moment loudly voicing their vexation. Had Seward not already been turned from his foreign war policy he now would have received strong public support in it. But he made no effort to utilize public excitement to his own advantage in the Cabinet. In England, Adams was able to report on June 14 that Russell had no intention of holding further interviews with the Southern Commissioners,[1] but before anyone in Washington could learn of this there was general knowledge of a changed tone from the Secretary of State, and Lyons' fears were considerably allayed. On June 15, occurred that interview between Seward, Lyons, and Mercier, in which Seward had positively refused to receive the Queen's Proclamation, but had throughout evinced the greatest courtesy and goodwill. Lyons so reported the conversation.[2] June 15 may, in fact, be taken as the date when Lyons ceased to be alarmed over an immediate war. Possibly he found it a little difficult to report so sudden a shift from stormy to fair weather. June 21, he wrote that the "lull" was still continuing.[3] June 24, he at last learned and described at length the details of Lincoln's alteration of Despatch No. 10.[4] He

[1] See *ante*, p. 106.

[2] See *ante*, p. 102. Bancroft, *Seward*, II, p. 181, using Seward's description to Adams (*U.S. Messages and Documents*, 1861-2, p. 106) of this interview expands upon the Secretary's skill in thus preventing a joint notification by England and France of their intention to act together. He rightly characterizes Seward's tactics as "diplomatic skill of the best quality." But in Lyons' report the emphasis is placed upon Seward's courtesy in argument, and Lyons felt that the knowledge of British-French joint action had been made sufficiently clear by his taking Mercier with him and by their common though unofficial representation to Seward.

[3] Russell Papers. To Russell.

[4] *Ibid.* To Russell. Lyons' source of information was not revealed.

did not know the exact date but he expressed the opinion that " a month or three weeks ago " war was very near—a misjudgment, since it should be remembered that war seemed advisable to one man only—Seward ; and that on this issue he had been definitely cast down from his self-assumed leadership into the ranks of Lincoln's lieutenants.

Lyons was, then, nearly a month behindhand in exact knowledge of American foreign policy toward England, and he was in error in thinking that an American attack on England was either imminent or intended. Nevertheless, he surely was excusable, considering Seward's prestige and Lincoln's lack of it, in reporting as he did. It was long, indeed, before he could escape from suspicion of Seward's purposes, though dropping, abruptly, further comment on the chances of war. A month later, on July 20, he wrote that Seward had himself asked for a confidential and unofficial interview, in order to make clear that there never had been any intention of stirring agitation against England. Personally, Seward took credit for avoiding trouble " by refusing to take official cognizance of the recognition [by England] of the belligerent rights of the South," and he asked Lyons to explain to Russell that previous strong language was intended merely to make foreign Powers understand the intensity of Northern feeling.[1]

Lyons put no faith in all this but was happy to note the change, mistakenly attributing it to England's " stiff tone," and not at all to the veto of the President. Since Lyons himself had gone to the utmost bounds in seeking conciliation (so he had reported), and, in London, Russell also had taken no forward step since the issue of the Queen's Proclamation—indeed, had rather yielded somewhat to Adams' representations—it is not clear in what the " stiff tone " consisted.

Indeed, the cause of Seward's explanation to Lyons

[1] *Ibid.* To Russell.

was the receipt of a despatch from Adams, dated June 28, in which the latter had reported that all was now smooth sailing. He had told Russell that the knowledge in Washington of the result of their previous interviews had brought satisfaction, and Russell, for his part, said that Lyons had "learned, through another member of the diplomatic corps, that no further expression of opinion on the subject in question would be necessary."[1] This referred, presumably, to the question of British intention, for the future, in relation to the Proclamation of Neutrality. Adams wrote: "This led to the most frank and pleasant conversation which I have yet had with his lordship. . . . I added that I believed the popular feeling in the United States would subside the moment that all the later action on this side was known. . . . My own reception has been all that I could desire. I attach value to this, however, only as it indicates the establishment of a policy that will keep us at peace during the continuance of the present convulsion." In reply to Adams' despatch, Seward wrote on July 21, the day after his interview with Lyons, arguing at great length the American view that the British Proclamation of Neutrality in a domestic quarrel was not defensible in international law. There was not now, nor later, any yielding on this point. But, for the present, this was intended for Adams' eye alone, and Seward prefaced his argument by a disclaimer, much as stated to Lyons, of any ill-will to Great Britain:

> "I may add, also, for myself, that however otherwise I may at any time have been understood, it has been an earnest and profound solicitude to avert from foreign war; that alone has prompted the emphatic and sometimes, perhaps, impassioned remonstrances I have hitherto made against any form or measure of recognition of the insurgents by the government of Great Britain. I write in the same spirit now; and I invoke on the part of the British govern-

[1] *U.S. Messages and Documents*, 1861-2, p. 110.

ment, as I propose to exercise on my own, the calmness which all counsellors ought to practise in debates which involve the peace and happiness of mankind."[1]

Diplomatic correspondence couched in the form of platform oratory leads to the suspicion that the writer is thinking, primarily, of the ultimate publication of his despatches. Thus Seward seems to have been laying the ground for a denial that he had ever developed a foolish foreign war policy. History pins him to that folly. But in another respect the interview with Lyons on July 20 and the letter to Adams of the day following overthrow for both Seward and for the United States the accusations sometimes made that it was the Northern disaster at Bull Run, July 21, in the first pitched battle with the South, which made more temperate the Northern tone toward foreign powers.[2] It is true that the despatch to Adams was not actually sent until July 26, but internal evidence shows it to have been written on the 21st before there was any news from the battle-field, and the interview with Lyons on the 20th proves that the military set-back had no influence on Seward's friendly expressions. Moreover, these expressions officially made were but a delayed voicing of a determination of policy arrived at many weeks earlier. The chronology of events and despatches cited in this chapter will have shown that the refusal of Lincoln to follow Seward's leadership, and the consequent lessening of the latter's "high tone," preceded any news whatever from England, lightening the first impressions. The Administration at Washington did not on May 21, even know that England had issued a Proclamation of Neutrality; it knew merely of Russell's statement that one would have to be issued; and the friendly explanations of Russell to Adams were not received in Washington until the month following.

[1] *Ibid.*, p. 118. To Adams.

[2] C. F. Adams, "Seward and the Declaration of Paris." p. 29, and so argued by the author throughout this monograph. I think this an error.

In itself, Seward's "foreign war panacea" policy does not deserve the place in history usually accorded it as a moment of extreme crisis in British-American relations. There was never any danger of war from it, for Lincoln nipped the policy in the bud. The public excitement in America over the Queen's Proclamation was, indeed, intense; but this did not alter the Governmental attitude. In England all that the public knew was this American irritation and clamour. The London press expressed itself a bit more cautiously, for the moment, merely defending the necessity of British neutrality.[1] But if regarded from the effect upon British Ministers the incident was one of great, possibly even vital, importance in the relations of the two countries. Lyons had been gravely anxious to the point of alarm. Russell, less acutely alarmed, was yet seriously disturbed. Both at Washington and in London the suspicion of Seward lasted throughout the earlier years of the war, and to British Ministers it seemed that at any moment he might recover leadership and revert to a dangerous mood. British attitude toward America was affected in two opposite ways; Britain was determined not to be bullied, and Russell himself sometimes went to the point of arrogance in answer to American complaints; this was an unfortunate result. But more fortunate, and *also a result*, was the British Government's determination to step warily in the American conflict and to give no just cause, unless on due consideration of policy, for a rupture of relations with the United States. Seward's folly in May of 1861, from every angle but a short-lived "brain-storm," served America well in the first years of her great crisis.

[1] The *Spectator*, friend of the North, argued, June 15, 1861, that the Queen's Proclamation was the next best thing for the North to a definite British alliance. Southern privateers could not now be obtained from England. And the United States was surely too proud to accept direct British aid.

CHAPTER V

THE DECLARATION OF PARIS NEGOTIATION

If regarded merely from the view-point of strict chronology there accompanied Seward's "foreign war" policy a negotiation with Great Britain which was of importance as the first effort of the American Secretary of State to bring European nations to a definite support of the Northern cause. It was also the first negotiation undertaken by Adams in London, and as a man new to the diplomatic service he attached to it an unusual importance, even, seemingly, to the extent of permitting personal chagrin at the ultimate failure of the negotiation to distort his usually cool and fair judgment. The matter in question was the offer of the United States to accede by a convention to the Declaration of Paris of 1856, establishing certain international rules for the conduct of maritime warfare.

This negotiation has received scant attention in history. It failed to result in a treaty, therefore it has appeared to be negligible. Yet it was at the time of very great importance in affecting the attitude toward each other of Great Britain and the United States, and of the men who spoke for their respective countries. The bald facts of the negotiation appear with exactness in Moore's *Digest of International Law*.[1] but without comment as to motives, and, more briefly, in Bernard's *Neutrality of Great Britain during the American Civil War*,[2] at the conclusion of which the author

[1] VII., pp. 568-583.
[2] Ch. 8.

writes, with sarcasm, " I refrain from any comment on this negotiation."[1] Nicolay and Hay's *Lincoln*, and Rhodes' *United States*, give the matter but passing and inadequate treatment. It was reviewed in some detail in the American argument before the Geneva court of arbitration in the case of the *Alabama*, but was there presented merely as a part of the general American complaint of British neutrality. In fact, but three historical students, so far as the present writer has been able to discover, have examined this negotiation in detail and presented their conclusions as to purposes and motives—so important to an understanding of British intentions at the moment when the flames of civil war were rapidly spreading in America.

These three, each with an established historical reputation, exhibit decided differences in interpretation of diplomatic incidents and documents. The first careful analysis was presented by Henry Adams, son of the American Minister in London during the Civil War, and then acting as his private secretary, in his *Historical Essays*, published in 1891 ; the second study is by Bancroft, in his *Life of Seward*, 1900 ; while the third is by Charles Francis Adams (also son of the American Minister), who, in his *Life* of his father, published 1900, gave a chapter to the subject and treated it on lines similar to those laid down by his brother Henry, but who, in 1912, came to the conclusion, through further study, that he had earlier been in error and developed a very different view in a monograph entitled, " Seward and the Declaration of Paris."

If these historiographic details seem unduly minute, partaking as they do of the nature of a foot-note, in a work otherwise general in treatment, the author's answer is that the personality of two of the writers mentioned and their intimate knowledge of the effect of the negotiation upon the mind of the American Minister in London are themselves

[1] *Ibid.*, p. 181.

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(From a photograph in the United States Embassy, London, by kind permission)

important historical data; a further answer is the fact that the materials now available from the British Foreign Office archives throw much new light both on the course of the negotiation and on British purposes. It is here planned, therefore, first to review the main facts as previously known; second, to summarize the arguments and conclusions of the three historians; third, to re-examine the negotiation in the light of the new material; and, finally, to express an opinion on its conduct and conclusions as an evidence of British policy.

In 1854, during the Crimean War, Great Britain and France, the chief maritime belligerents engaged against Russia, voluntarily agreed to respect neutral commerce under either the neutral's or the enemy's flag. This was a distinct step forward in the practice of maritime warfare, the accepted international rules of which had not been formally altered since the Napoleonic period. The action of Great Britain was due in part, according to a later statement in Parliament by Palmerston, March 18, 1862, to a fear that unless a greater respect were paid than formerly to neutral rights, the Allies would quickly win the ill-will of the United States, then the most powerful maritime neutral, and would run the danger of forcing that country into belligerent alliance with Russia.[1] No doubt there were other reasons, also, for the barbarous rules and practices of maritime warfare in earlier times were by now regarded as semi-civilized by the writers of all nations. Certainly the action of the belligerents in 1854 met with general approval and in the result was written into international law at the Congress of Paris in 1856, where, at the conclusion of the war, the belligerents and some leading neutrals were gathered.

The Declaration of Paris on maritime warfare covered four points:

[1] Henry Adams, *Historical Essays*, p. 275.

"1. Privateering is, and remains, abolished.

"2. The neutral flag covers enemy's goods, with the exception of contraband of war.

"3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

"4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy."[1]

This agreement was adopted by Austria, France, Great Britain, Prussia, Russia, Sardinia and Turkey, and it was further agreed that a general invitation to accede should be extended to all nations, but with the proviso "that the powers which shall have signed it, or which shall accede thereto, shall not in future enter into any arrangement, concerning the application of the law of neutrals in time of war, which does not rest altogether upon the four principles embodied in the said declaration."[2] In other words it must be accepted in whole, and not in part, and the powers acceding pledging themselves not to enter into any subsequent treaties or engagements on maritime law which did not stipulate observance of all four points. Within a short time nearly all the maritime nations of the world had given official adherence to the Declaration of Paris.

But the United States refused to do so. She had long stood in the advance guard of nations demanding respect for neutral rights. Little by little her avowed principles of international law as regards neutrals, first scoffed at, had crept into acceptance in treaty stipulations. Secretary of State Marcy now declared, in July, 1856, that the United

[1] Text as given in Moore, *Digest*, VII, p. 562.
[2] *Ibid.*, p. 563.

States would accede to the Declaration if a fifth article were added to it protecting all private property at sea, when not contraband. This covered not only cargo, but the vessel as well, and its effect would have been to exclude from belligerent operations non-contraband enemy's goods under the enemy's flag, if goods and ship were privately owned. Maritime warfare on the high seas would have been limited to battles between governmentally operated war-ships. Unless this rule were adopted also, Secretary Marcy declared that "the United States could not forgo the right to send out privateers, which in the past had proved her most effective maritime weapon in time of war, and which, since she had no large navy, were essential to her fighting power."

"War on private property," said the Americans, "had been abolished on land; why should it not be abolished also on the sea?" The American proposal met with general support among the smaller maritime nations. It was believed that the one great obstacle to the adoption of Marcy's amendment lay in the naval supremacy of Great Britain, and that obstacle proved insurmountable. Thus the United States refused to accede to the Declaration, and there the matter rested until 1861. But on April 17 Jefferson Davis proclaimed for the Southern Confederacy the issue of privateers against Northern commerce. On April 24 Seward instructed representatives abroad, recounting the Marcy proposal and expressing the hope that it still might meet with a favourable reception, but authorizing them to enter into conventions for American adherence to the Declaration of 1856 on the four points alone. This instruction was sent to the Ministers in Great Britain, France, Russia, Prussia, Austria, Belgium, Italy, and Denmark; and on May 10 to the Netherlands.

Having received this instruction, Adams, at the close of his first meeting with Russell on May 18, after having

developed at length the American position relative to the issue of the British Proclamation of Neutrality, briefly added that he was directed to offer adherence by means of a convention, to the Declaration of Paris. Russell replied that Great Britain was willing to negotiate, but " seemed to desire to leave the subject in the hands of Lord Lyons, to whom he intimated that he had already transmitted authority. . . ."[1] Adams therefore did not press the matter, waiting further information and instruction from Washington. Nearly two weeks earlier Russell had, in fact, approached the Government of France with a suggestion that the two leading maritime powers should propose to the American belligerents adherence to the second and third articles of the Declaration of Paris. France had agreed and the date of Russell's instruction to Lyons was May 18, the day of the interview with Adams. Confusion now arose in both London and Washington as to the place where the arrangement was to be concluded. The causes of this confusion will be considered later in this chapter; here it is sufficient to note that the negotiation was finally undertaken at London.

On July 18 Russell informed Adams that Great Britain was ready to enter into a convention with the United States, provided a similar convention was signed with France at the same time. This convention, as submitted by Adams, simply recorded an agreement by the two powers to abide by the four points of the Declaration of Paris, using the exact wording of that document.[2] Adams' draft had been communicated to Russell on July 13. There then followed a delay required by the necessity of securing similar action by Dayton, the American Minister at Paris, but on July 29 Adams reported to Russell that this had

[1] *U.S. Messages and Documents*, 1861-2, p. 94. Adams to Seward, May 21, 1861.

[2] Text given in *Parliamentary Papers*, 1862, *Lords*, Vol XXV. " Correspondence respecting International Maritime Law." No. 18.

been done and that he was ready to sign. Two days later, July 31, Russell replied that he, also, was ready, but concluded his letter, "I need scarcely add that on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done."[1] It was not until August 8, however, that Cowley, the British Ambassador to France, reported that Dayton had informed Thouvenel, French Foreign Minister, that he was ready to sign the similar convention with France.[2] With no understanding, apparently, of the causes of further delay, and professing complete ignorance of the meaning of Russell's phrase, just quoted,[3] Adams waited the expected invitation to an official interview for the affixing of signatures. Since it was a condition of the negotiation that this should be done simultaneously in London and Paris, the further delay that now occurred caused him no misgivings.

On August 19 Russell requested Adams to name a convenient day "in the course of this week," and prefaced this request with the statement that he enclosed a copy of a Declaration which he proposed to make in writing, upon signing the convention. "You will observe," he wrote, "that it is intended to prevent any misconception as to the nature of the engagement to be taken by Her Majesty." The proposed Declaration read:

> "In affixing his signature to the Convention of this day between Her Majesty the Queen of Great Britain and Ireland and the United States of America, the Earl Russell declares, by order of Her Majesty, that Her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States."[4]

[1] *Ibid.*, No. 25.

[2] *Ibid.*, No. 26.

[3] *U.S. Messages and Documents*, 1861-2, p. 124. Adams to Seward, Aug. 2, 1861.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV, "Correspondence respecting International Maritime Law." No. 28.

Under his instructions to negotiate a convention for a pure and simple adherence to the Declaration of Paris, Adams could not now go on to official signature. Nor was he inclined to do so. Sincerely believing, as he stated to Russell in a communication of August 23, that the United States was "acting with the single purpose of aiding to establish a permanent doctrine for all time," and with the object of "ameliorating the horrors of warfare all over the globe," he objected "to accompany the act with a proceeding somewhat novel and anomalous," which on the face of it seemed to imply a suspicion on the part of Great Britain that the United States was "desirous at this time to take a part in the Declaration [of Paris], not from any high purpose or durable policy, but with the view of securing some small temporary object in the unhappy struggle which is going on at home."[1] He also pointed out that Russell's proposed declaration either was or was not a part of the convention. If it was a part then the Senate of the United States must ratify it as well as the convention itself, and he would have gone beyond his instructions in submitting it. If not a part of the convention there could be no advantage in making the Declaration since, unratified by the Senate, it would have no force. Adams therefore declined to proceed further with the matter until he had received new instructions from Washington

To this Russell answered, August 28, with a very explicit exposition of his reasons. Great Britain, he said, had declared her neutrality in the American conflict, thereby recognizing the belligerent rights of the South. It followed that the South "might by the law of nations arm privateers," and that these "must be regarded as the armed vessels of a belligerent." But the United States had refused to recognize the status of belligerency, and could therefore maintain that privateers issued by the Southern

[1] *Ibid.*, No. 31.

States were in fact pirates, and might argue that a European Power signing a convention with the United States, embodying the principles of the Declaration of Paris, "would be bound to treat the privateers of the so-called Confederate States as pirates." Hence Russell pointed out, the two countries, arguing from contradictory premises as to the status of the conflict in America, might become involved in charges of bad faith and of violation of the convention. He had therefore merely intended by his suggested declaration to prevent any misconception by the United States.

> "It is in this spirit that Her Majesty's Government decline to bind themselves, without a clear explanation on their part, to a Convention which, seemingly confined to an adoption of the Declaration of Paris of 1856, might be construed as an engagement to interfere in the unhappy dissensions now prevailing in the United States; an interference which would be contrary to Her Majesty's public declarations, and would be a reversal of the policy which Her Majesty has deliberately sanctioned."[1]

Thus the negotiation closed. Seward in declining to accept the proposed declaration gave varying reasons in his instructions to Adams, in London, and to Dayton, in Paris, for an exactly similar declaration had been insisted upon by France, but he did not argue the question save in generalities. He told Dayton that the supposed possible "intervention" which Great Britain and France seemed to fear they would be called upon to make was exactly the action which the United States desired to forestall, and he notified Adams that he could not consent since the proposed Declaration "would be virtually a new and distinct article incorporated into the projected convention."[2] The first formal negotiation of the United States during the Civil War, and of the new American Minister in London, had come

[1] *Ibid.*, No. 32.
[2] Moore, *Digest*, VII, pp. 578 and 581.

to an inglorious conclusion. Diplomats and Foreign Secretaries were, quite naturally, disturbed, and were even suspicious of each others' motives, but the public, not at the moment informed save on the American offer and the result, paid little attention to these "inner circle" controversies.[1]

What then were the hidden purposes, if such existed, of the negotiating powers. The first answer in historical writing was that offered by Henry Adams,[2] in an essay entitled "The Declaration of Paris, 1861," in the preparation of which the author studied with care all the diplomatic correspondence available in print.[3] His treatment presents Russell as engaged in a policy of deception with the view of obtaining an ultimate advantage to Great Britain in the field of commercial rivalry and maritime supremacy. Following Henry Adams' argument Russell, on May 9, brought to the attention of France a proposal for a joint request on the American belligerents to respect the second and third articles of the Declaration of Paris, and received an acquiescent reply. After some further exchanges of proposed terms of instructions to the British and French Ministers at Washington, Russell, on May 18, sent a despatch to Lyons with instructions for his action. On this same day Russell, in his first interview with Adams, "before these despatches [to Lyons] could have left the Foreign Office," and replying to Adams' proposal to nego-

[1] The point of Russell's Declaration was made very early in the London press. Thus the *Saturday Review*, June 8, 1861, commenting on the report that America was ready to adhere to the Declaration of Paris, stated that this could have no effect on the present war but would be welcomed for its application after this war was over.

[2] In the general American argument before the Geneva Arbitration Court it was stated that the practical effect of British diplomacy in this connection was that "Great Britain was thus to gain the benefit to its neutral commerce of the recognition of the second and third articles, the rebel privateers and cruisers were to be protected and their devastation legalized, while the United States were to be deprived of a dangerous weapon of assault upon Great Britain." Cited in Nicolay and Hay, *Lincoln*, IV, p. 280.

[3] Henry Adams, *Historical Essays*, pp. 237-279.

tiate on the Declaration of Paris as a *whole*—that is to say, on all four articles—intimated that instructions had already gone to Lyons, with directions to assent to any modification of the article on privateering that the United States might desire. Adams understood Russell to prefer that the negotiation (for such Adams thought it was to be) should take place in Washington, and did not press the matter.

This was deliberate deceit; first in a statement of fact since the interview with Adams took place at noon on May 18, at Russell's country house nine miles from London, and in all reasonable supposition the despatch to Lyons would not have been sent until the Foreign Secretary's return to his office; second because Lyons was not instructed to *negotiate* on the Declaration. The interpretation is justified therefore that Russell "evaded the offer of the United States Government." The result of this evasion was delay, but when Seward learned from Lyons that he had no authority to negotiate a convention and Adams received renewed instructions to proceed, the latter "kept his temper, but the affair made a lasting impression on his mind, and shook his faith in the straightforwardness of the British Government." In renewing his overtures at London, Adams made explanations of the previous "misunderstanding" and to these Russell replied with further "inaccuracies" as to what had been said at the first interview.

Thus beginning his survey with an assertion of British deceit and evasion from the very outset, and incidentally remarking that Lyons, at Washington, "made little disguise of his leanings" toward the South, Henry Adams depicts Russell as leading France along a line of policy distinctly unfriendly to the North. Examining each point in the negotiation as already narrated, he summarized it as follows:

> "The story has shown that Russell and his colleagues . . . induced the French Government to violate the

pledge in the protocol of the Declaration of Paris in order to offer to both belligerents a partial adhesion, which must exclude the United States from a simple adhesion, to the Declaration of Paris, while it placed both belligerents on the same apparent footing. These steps were taken in haste before Adams could obtain an interview. When Adams by an effort unexpected to Russell obtained an interview at Pembroke Lodge at noon of Saturday, May 18, and according to Russell's report of May 21, said that the United States were 'disposed to adhere to the Declaration of Paris,' Russell evaded the offer, saying that he had already sent sufficient instructions to Lyons, although the instructions were not sufficient, nor had they been sent. When this evasion was afterward brought to his notice by Adams, Russell, revising his report to Lyons, made such changes in it as should represent the first proposal as coming from himself, and the evasion to have come from Adams. When at last obliged to read the American offer, Russell declared that he had never heard of it before, although he had himself reported it to Lyons and Lyons had reported it to him. When compelled to take the offer for consideration, Russell, though always professing to welcome adhesion pure and simple, required the co-operation of Dayton. When Adams overcame this last obstacle, Russell interposed a written proviso, which as he knew from Lyons would prevent ratification. When Adams paid no attention to the proviso but insisted on signature of the treaty, Russell at last wrote a declaration in the nature of an insult, which could not be disregarded."[1]

In this presentation of the case to the jury certain minor points are insisted upon to establish a ground for suspicion —as the question of who first made the proposal—that are not essential to Henry Adams' conclusions. This conclusion is that " From the delays interposed by Russell, Adams must conclude that the British Cabinet was trying one device after another to evade the proposition; and finally, from the written declaration of August 19, he could draw no other inference than that Russell had resorted to

[1] *Ibid.*, p. 271.

the only defensive weapon left to him, in order to avoid the avowal of his true motives and policy."[1] The *motive* of this tortuous proceeding, the author believed to have been a deep-laid scheme to revive, *after* the American War was ended, the earlier international practice of Great Britain, in treating as subject to belligerent seizure enemy's goods under the neutral flag. It was the American stand, argues Henry Adams, that in 1854 had compelled Great Britain to renounce this practice. A complete American adherence, now, to the Declaration, would for ever tie Britain's hands, but if there were no such complete adherence and only temporary observation of the second article, after the war had resulted in the disruption of the United States, thus removing the chief supporter of that article, Great Britain would feel free to resume her old-time practice when she engaged in war. If Great Britain made a formal treaty with the United States she would feel bound to respect it; the Declaration of Paris as it stood constituted "a mere agreement, which was binding, as Lord Malmesbury declared, only so long as it was convenient to respect it."[2] Thus the second article of the Declaration of Paris, not the first on privateering, was in the eye of the British Cabinet in the negotiation of 1861. Henry Adams ends his essay: "After the manner in which Russell received the advances of President Lincoln, no American Minister in London could safely act on any other assumption than that the British Government meant, at the first convenient opportunity, to revive the belligerent pretensions dormant since the War of 1812."[3]

This analysis was published in 1891. Still more briefly summarized it depicts an unfriendly, almost hostile attitude

[1] *Ibid.*, p. 273.

[2] *Ibid.*, p. 277.

[3] This same view was maintained, though without stating details, by Henry Adams, as late as 1907. See his "Education of Henry Adams," Private Edition, p. 128.

on the part of Russell and Lyons, deceit and evasion by the former, selfish British policy, and throughout a blind following on by France, yielding to Russell's leadership. The American proposal is regarded merely as a simple and sincere offer to join in supporting an improved international practice in war-times. But when Frederic Bancroft, the biographer of Seward, examined the negotiation he was compelled to ask himself whether this was all, indeed, that the American Secretary of State had in view. Bancroft's analysis may be stated more briefly.[1]

Seward's general instruction, Bancroft notes, bore date of April 24, nearly a month before any foreign Power had recognized Southern belligerent rights; it indicates "a plan by which he hoped to remove all excuse for such action." In despatches to Dayton, Seward asserted a twofold motive: "a sincere desire to co-operate with other progressive nations in the melioration of the rigours of maritime war," and "to remove every cause that any foreign Power could have for the recognition of the insurgents as a belligerent Power."[2] This last result was not so clear to Dayton at Paris, nor was the mechanism of operation ever openly stated by Seward. But he did write, later, that the proposal of accession to the Declaration of Paris was tendered "as the act of this Federal Government, to be obligatory equally upon disloyal as upon loyal citizens." "It did not," writes Bancroft, "require the gift of prophecy to tell what would result in case the offer of accession on the part of the United States should be accepted."[3]

Seward's object was to place the European nations in a position where they, as well as the United States, would be forced to regard Southern privateers as pirates, and treat

[1] Bancroft, *Seward*, II, Ch. 31.
[2] Cited by Bancroft, *Seward*, II, p. 189.
[3] *Ibid.*

them as such. This was a conceivable result of the negotiation before European recognition of Southern belligerency, but even after that recognition and after Dayton had pointed out the impossibility of such a result, Seward pressed for the treaty and instructed Dayton not to raise the question with France. He still had in mind this main object. "If Seward," says Bancroft, "had not intended to use the adherence of the United States to the declaration as a lever to force the other Powers to treat the Confederates as pirates, or at least to cease regarding them as belligerents, he might easily and unofficially have removed all such suspicions."[1] In an interview with Lyons on July 6 Seward urged a quick conclusion of the treaty, arguing that its effect upon the revolted states could be determined afterwards. Naturally Lyons was alarmed and gave warning to Russell. "Probably it was this advice that caused Russell to insist on the explanatory declaration."[2]

It would appear, then, that Seward much underestimated the acuteness of Russell and Thouvenel, and expected them "to walk into a trap." Nor could his claim "that there was no difference between a nation entirely at peace and one in circumstances like those of the United States at this time" be taken seriously. "He was furnishing his opponent with evidences of his lack of candour." This clouded the effect that would have followed "a wise and generous policy toward neutrals, which had doubtless been in Seward's mind from the beginning."[3] In the end he concluded the negotiation gracefully, writing to Adams a pledge of American respect for the second and third articles of the Declaration of Paris—exactly that which Lyons had originally been instructed by Russell to secure.

[1] *Ibid.*, p. 193.
[2] *Ibid.*
[3] *Ibid.*

> "We regard Great Britain as a friend. Her Majesty's flag, according to our traditional principles, covers enemy's goods not contraband of war. Goods of Her Majesty's subjects, not contraband of war, are exempt from confiscation, though found under a neutral or disloyal flag. No depredations shall be committed by our naval forces or by those of any of our citizens, so far as we can prevent it, upon the vessels or property of British subjects. Our blockade, being effective, must be respected."[1]

Thus Bancroft regards Seward's proposals of April 24 as in part the result of humanitarian motives and in part as having a concealed purpose of Northern advantage. This last he calls a "trap." And it is to be noted that in Seward's final pledge to Adams the phrase "those of any of our citizens" reserves, for the North, since the negotiation had failed, the right to issue privateers on her own account. But Russell also, says Bancroft, was not "altogether artless and frank." He had in view a British commercial advantage during the war, since if the United States respected the second and third articles of the Declaration of Paris, and "if Confederate privateers should roam the ocean and seize the ships and goods of citizens of the North, all the better for other commercial nations; for it would soon cause the commerce of the United States to be carried on under foreign flags, especially the British and French."[2] Ulterior motive is, therefore, ascribed to both parties in the negotiation, and that of Seward is treated as conceived at the moment when a policy of seeking European friendship was dominant at Washington, but with the hope of securing at least negative European support. Seward's persistence after European recognition of Southern belligerency is

[1] *U.S. Messages and Documents*, 1861-2, p. 143. Seward to Adams, Sept. 7, 1861.

[2] Bancroft, *Seward*, II, p. 196. This speculation is not supported by any reference to documents revealing such a purpose. While it may seem a reasonable speculation it does not appear to be borne out by the new British materials cited later in this chapter.

regarded as a characteristic obstinacy without a clear view of possible resulting dangerous complications.

This view discredits the acumen of the American Secretary of State and it does not completely satisfy the third historian to examine the incident in detail. Nor does he agree on the basis of British policy. Charles Francis Adams, in his "Life" of his father, writing in 1899, followed in the main the view of his brother, Henry Adams. But in 1912 he reviewed the negotiation at great length with different conclusions.[1] His thesis is that the Declaration of Paris negotiation was an essential part of Seward's "foreign war policy," in that in case a treaty was signed with Great Britain and France and then those Powers refused to aid in the suppression of Southern privateering, or at least permitted them access to British and French ports, a good ground of complaint leading to war would be established. *This* was the ultimate ulterior purpose in Seward's mind; the negotiation was but a method of fixing a quarrel on some foreign Power in case the United States should seek, as Seward desired, a cementing of the rift at home by a foreign war.

In the details of the negotiation C. F. Adams agrees with Bancroft, but with this new interpretation. The opening misunderstanding he ascribed, as did Lyons, to the simple fact that Seward "had refused to see the despatch" in which Russell's proposals were made.[2] Seward's instruc-

[1] C. F. Adams, "Seward and The Declaration of Paris" *Mass. Hist. Soc. Proceedings*, XLVI, pp. 23–81.

[2] *Ibid.*, p. 57. The quotation is from a despatch by Lyons of Dec. 6, 1861; but this is inexact language. It is true that Seward had refused to receive officially this despatch, but he had read and considered it in private. Hence he knew *privately* the facts of Russell's proposal and that Lyons had no instructions to negotiate. The incident of this despatch has been treated by me in Chapter IV, where I regard Seward's refusal to receive officially the despatch as primarily a refusal to be notified of Great Britain's proclamation of neutrality. Bancroft treats this incident as primarily a clever refusal by Seward to be approached officially by Lyons and Mercier in a joint representation, thus blocking a plan of joint action. (Bancroft, *Seward*, II, p. 181.) I agree with C. F. Adams that the only effect of this, so far as the negotiation is concerned was that

tions of July 6, after the misunderstanding was made clear to him, pushing the negotiation, were drawn when he was "still riding a very high horse—the No. 10 charger, in fact, he had mounted on the 21st of the previous May,"[1] and this warlike charger he continued to ride until the sobering Northern defeat at Bull Run, July 21, put an end to his folly. If that battle had been a Northern victory he would have gone on with his project. Now, with the end of a period of brain-storm and the emergence of sanity in foreign policy, "Secretary Seward in due time (September 7) pronounced the proposed reservation [by Russell] quite 'inadmissible.' And here the curtain fell on this somewhat prolonged and not altogether creditable diplomatic farce."[2]

Incidentally C. F. Adams examined also British action and intention. Lyons is wholly exonerated. "Of him it may be fairly said that his course throughout seems to furnish no ground for criticism."[3] And Lyons is quoted as having understood, in the end, the real purpose of Seward's policy in seeking embroilment with Europe. He wrote to Russell on December 6 upon the American publication of despatches, accompanying the President's annual message: "Little doubt can remain, after reading the papers, that the accession was offered solely with the view to the effect it would have on the privateering operations of the Southern States; and that a refusal on the part of England and France, after having accepted the accession, to treat the Southern privateers as pirates, would have been made a serious grievance, if not a ground of quarrel. . . ."[4] As to

"Seward, by what has always, for some reason not at once apparent, passed for a very astute proceeding, caused a transfer of the whole negotiation from Washington to London and Paris." ("Seward and the Declaration of Paris," p. 50.)

[1] *Ibid.*, p. 51.

[2] *Ibid.*, p. 64.

[3] *Ibid.*, p. 60.

[4] *Ibid.*, p. 58.

Russell, combating Henry Adams' view, it is asserted that it was the great good fortune of the United States that the British Foreign Secretary, having declared a policy of neutrality, was not to be driven from its honest application by irritations, nor seduced into a position where the continuation of that policy would be difficult.

Before entering upon an account of the bearing of the newly available British materials on the negotiation—materials which will in themselves offer sufficient comment on the theories of Henry Adams, and in less degree of Bancroft—it is best to note here the fallacy in C. F. Adams' main thesis. If the analysis given in the preceding chapter of the initiation and duration of Seward's "foreign war policy" is correct, then the Declaration of Paris negotiation had no essential relation whatever to that policy. The instructions to Adams were sent to eight other Ministers. Is it conceivable that Seward desired a war with the whole maritime world? The date, April 24, antedates any deliberate proposal of a foreign war, whatever he may have been brooding, and in fact stamps the offer as part of that friendly policy toward Europe which Lincoln had insisted upon. Seward's frenzy for a foreign war did not come to a head until the news had been received of England's determination to recognize Southern belligerency. This was in the second week of May and on the twenty-first Despatch No. 10 marked the decline, not the beginning, of a belligerent policy, and by the President's orders. By May 24 probably, by the twenty-seventh certainly, Seward had yielded and was rapidly beginning to turn to expressions of friendship.[1] Yet it was only on May 18 that Russell's first instructions to Lyons were sent, and not until late in June that the "misunderstanding" cleared away, instructions were despatched by Seward to push the Declaration of Paris negotiations at London and Paris. The battle of Bull Run

[1] Bancroft says June 8. But see *ante*, p. 130.

had nothing to do with a new policy. Thus chronology forbids the inclusion of this negotiation, either in its inception, progress, or conclusion, as an agency intended to make possible, on just grounds, a foreign war.

A mere chronological examination of documents, both printed and in archives, permits a clearer view of British policy on the Declaration of Paris. Recalling the facts of the American situation known in London it will be remembered that on May 1 the British Government and Parliament became aware that a civil war was inevitable and that the South planned to issue privateers. On that day Russell asked the Admiralty to reinforce the British fleet in West Indian waters that British commerce might be adequately protected. Five days later, May 6, he announced in the Commons that Great Britain must be strictly neutral, and that a policy of close harmony with France was being matured; and on this day he proposed through Cowley, in Paris, that Great Britain and France each ask *both* the contending parties in America to abide by the second and third articles of the Declaration of Paris.[1] If there was ulterior motive here it does not appear in any despatch either then or later, passing between any of the British diplomats concerned—Russell, Cowley, and Lyons. The plain fact was that the United States was not an adherent to the Declaration, that the South had announced privateering, and the North a blockade, and that the only portions of the Declaration in regard to which the belligerents had as yet made no statement were the second and third articles.

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 1. It was with reference to this that Palmerston, on May 5, wrote to Russell: "If any step were thought advisable, perhaps the best mode of our feeling our way would be to communicate confidentially with the South by the men who have come over here from thence, and with the North by Dallas, who is about to return in a few days. Dallas, it is true, is not a political friend of Lincoln, but on the contrary rather leans to the South; but still he might be an organ, if it should be deemed prudent to take any step." (Palmerston MS.)

It was, indeed, an anxious time for the British Government. On May 9 Forster asked in the Commons what would be the Government's attitude toward a British subject serving on a Southern privateer.[1] The next day in the Lords there occurred a debate the general burden of which was that privateering was in fact piracy, but that under the conditions of the American previous stand, it could not be treated as such.[2] Both in the Commons and the Lords speakers were referred to the forthcoming Proclamation of Neutrality, but the uncertainty developed in both debates is very probably reflected in the new despatch now sent to Cowley, on May 11.[3] By that despatch France was asked to send an instruction to Mercier in Washington similar to a draft instruction intended for Lyons, a copy of which was enclosed to Cowley, the object being to secure from the American belligerents adherence to *all* the articles, privateering included, of the Declaration of Paris.[4]

Whatever Russell's purpose in thus altering his original suggestion, it met with a prompt check from France. On May 9 Thouvenel had agreed heartily to the proposal of May 6, adding the practical advice that the best method of approach to the Confederacy would be through the consuls in the South.[5] Now, on May 13, Russell was informed that Thouvenel feared that England and France would get into serious trouble if the North agreed to accede on privateering and the South did not. Cowley reported that he had argued with Thouvenel that privateers were

[1] Hansard, 3rd. Ser., Vol. CLXII, p. 1763.

[2] *Ibid.*, pp. 1830-34.

[3] This instruction never got into the printed Parliamentary papers, nor did any others of the many containing the like suggestion, for they would have revealed a persistence by Russell against French advice—to which he ultimately was forced to yield—a persistence in seeking to bind the belligerents on the first article of the Declaration of Paris, as well as on articles two and three. The points at which Russell returned to this idea are indicated in this chapter.

[4] F.O., France, Vol. 1376. No. 563. Draft.

[5] F. O., France, Vol. 1390. No. 684. Cowley to Russell, May 9, 1861.

pirates and ought to be treated as such, but that Thouvenel refused to do more than instruct Mercier on the second and third articles.[1] For the moment Russell appears to have yielded easily to this French advice. On May 13 he had that interview with the Southern commissioners in which he mentioned a communication about to be made to the South;[2] and on May 15 the London *Times*, presumably reflecting governmental decision, in commenting on the Proclamation of Neutrality, developed at some length the idea that British citizens, if they served on Southern privateers, could claim no protection from Great Britain if the North chose to treat them as pirates. May 16, Cowley reported that Thouvenel had written Mercier in the terms of Russell's draft to Lyons of the eleventh, but omitting the part about privateering,[3] and on this same day Russell sent to Cowley a copy of a *new* draft of instructions to Lyons, seemingly in exact accord with the French idea.[4] On the seventeenth, Cowley reported this as highly satisfactory to Thouvenel.[5] Finally on May 18 the completed instruction was despatched.

It was on this same day, May 18, that Adams had his first interview with Russell. All that had been planned by Great Britain and France had been based on their estimate of the necessity of the situation. They had no knowledge of Seward's instructions of April 24. When therefore Adams, toward the conclusion of his interview, stated his authority to negotiate a convention, he undoubtedly took Russell by surprise. So far as he was concerned a suggestion to the North, the result of an agreement made with France

[1] F. O., France, Vol. 1391. No. 713. Cowley to Russell, May 13, 1861.

[2] Richardson, *Messages and Papers of the Confederacy*, II, p. 40.

[3] F. O., France, Vol. 1391. No. 733.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 5.

[5] *Ibid.*, No. 6. Note that this and the preceding document are all that appeared in the Parliamentary Papers. Thouvenel's amendment of Russell's plan did not appear.

after some discussion and delay, was in fact completed, and the draft finally drawn *two days before*, on the sixteenth. Even if not actually sent, as Henry Adams thinks, it was a completed agreement. Russell might well speak of it as an instruction already given to Lyons. Moreover there were two points in Adams' conversation of the eighteenth likely to give Russell cause for thought. The first was Adams' protest against the British recognition of a status of belligerency. If the North felt so earnestly about this, had it been wise to instruct Lyons to make an approach to the South? This required consideration. And in the second place did not Adams' offer again open up the prospect of somehow getting from the North at least a formal and permanent renunciation of privateering?

For if an examination is made of Russell's instruction to Lyons of May 18 it appears that he had not, after all, dropped that reference to privateering which Thouvenel had omitted in his own instructions to Mercier. Adams understood Russell to have said that he "had already transmitted authority [to Lyons] to assent to any modification of the only point in issue which the Government of the United States might prefer. On that matter he believed that there would be no difficulty whatever."[1] This clearly referred to privateering. Russell's instructions to Lyons took up the points of the Declaration of Paris in reverse order. That on blockades was now generally accepted by all nations. The principle of the third article had "long been recognized as law, both in Great Britain and in the United States." The second article, "sanctioned by the United States in the earliest period of the history of their independence," had been opposed, formerly, by Great Britain, but having acquiesced in the Declaration of 1856, "she means to adhere to the principle she then adopted."

[1] *U.S. Messages and Documents*, 1861-2, Adams to Seward, May 21, 1861.

Thus briefly stating his confidence that the United States would agree on three of the articles, Russell explained at length his views as to privateering in the American crisis.

> "There remains only to be considered Article I, namely, that relating to privateering, from which the Government of the United States withheld their assent. Under these circumstances it is expedient to consider what is required on this subject by the general law of nations. Now it must be borne in mind that privateers bearing the flag of one or other of the belligerents may be manned by lawless and abandoned men, who may commit, for the sake of plunder, the most destructive and sanguinary outrages. There can be no question, however, but that the commander and crew of a ship bearing a letter of marque must, by the law of nations, carry on their hostilities according to the established laws of war. Her Majesty's Government must, therefore, hold any Government issuing such letters of marque responsible for, and liable to make good, any losses sustained by Her Majesty's subjects in consequence of wrongful proceedings of vessels sailing under such letters of marque.
>
> "In this way, the object of the Declaration of Paris may to a certain extent be attained without the adoption of any new principle.
>
> "You will urge these points upon Mr. Seward."[1]

What did Russell mean by this cautious statement? The facts known to him were that Davis had proclaimed the issue of letters of marque and that Lincoln had countered by proclaiming Southern privateering to be piracy.[2] He did not know that Seward was prepared to renounce privateering, but he must have thought it likely from Lincoln's proclamation, and have regarded this as a good time to strike for an object desired by all the European maritime nations since 1856. Russell could not, while Great Britain was neutral, join the United States in treating Southern privateers as pirates, but he here offered to come as close

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 7.

[2] The text of these proclamations, transmitted by Lyons, had been officially received in London on May 10.

to it as he dared, by asserting that Great Britain would use vigilance in upholding the law of nations. This language might be interpreted as intended for the admonition of the North also, but the *facts* of the then known situation make it applicable to Southern activities alone. Russell had desired to include privateering in the proposals to the United States and to the South, but Thouvenel's criticisms forced him to a half-measure of suggestion to the North, and a full statement of the delicacy of the situation in the less formal letter to Lyons accompanying his official instructions. This was also dated May 18. In it Russell directed Lyons to transmit to the British Consul at Charleston or New Orleans a copy of the official instruction "to be communicated at Montgomery to the President of the so-styled Confederate States," and he further explained his purpose and the British position:

> ". . . You will not err in encouraging the Government to which you are accredited to carry into effect any disposition which they may evince to recognize the Declaration of Paris in regard to privateering. . . .
>
> "You will clearly understand that Her Majesty's Government cannot accept the renunciation of privateering on the part of the Government of the United States if coupled with the condition that they should enforce its renunciation on the Confederate States, either by denying their right to issue letters of marque, or by interfering with the belligerent operations of vessels holding from them such letters of marque, so long as they carry on hostilities according to the recognized principles and under the admitted liabilities of the law of nations."[1]

Certainly this was clear enough and was demanded by the British policy of neutrality. Russell had guarded against the complication feared by Thouvenel, but he still hoped by a half-pledge to the North and a half-threat to the

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 8.

South to secure from both belligerents a renunciation of privateering. In short he was not yet fully convinced of the wisdom of the French limitation. Moreover he believed that Thouvenel might yet be won to his own opinion, for in an unprinted portion of this same private letter to Lyons of May 18 Russell wrote:

> "I have further to state to you, with reference to my despatch of this day that H.M. Govt. were in the first instance inclined to propose to both of the contending parties to adopt the first clause of the Declaration of Paris, by which privateering is renounced. But after communication with the French Govt. it appeared best to limit our propositions in the manner explained in my despatch.
>
> "I understand however from Lord Cowley that, although M. Mercier is not absolutely instructed to advert to the abolition of privateering, yet that some latitude of action is left to him on that point should he deem it advisable to exercise it."[1]

Lyons and Mercier saw more clearly than did Russell what was in Seward's mind. Lyons had been instructed in the despatch just cited to use his own discretion as to joint action with the French Minister so long only as the two countries took the same stand. He was to pursue whatever method seemed most "conciliatory." His first private comment on receiving Russell's instruction was, "Mr. Seward will be furious when he finds that his adherence to the Declaration of Paris will not stop the Southern privateering,"[2] and in an official confidential despatch of the same day, June 4, he gave Russell clear warning of what Seward expected from his overture through Adams.[3] So delicate did the matter appear to Lyons and Mercier that

[1] F. O., Am., Vol. 755. No. 139. "Seen by Ld. P. and the Queen."
[2] Russell Papers. Lyons to Russell, June 4, 1861. (Printed in Newton, *Lyons*, I, 42.)
[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 12. Marked "Received," June 17.

they agreed to keep quiet for a time at least about their instructions, hoping to be relieved by the transfer of the whole matter to London and Paris.[1] But in London Russell was at this moment taking up again his favoured purpose. On June 6 he wrote to Grey (temporarily replacing Cowley at Paris) that he understood a communication had been made in Paris, as in London, for an American adherence to the Declaration of Paris; ". . . it may open the way to the abolition of Privateering all over the world. But . . . we ought not to use any menace to the Confederate States with a view of obtaining this desirable object."[2] Evidently, in his opinion, the South would not dare to hold out and no "menace" would be required.[3] Six days later, however, having learned from the French Ambassador that Dayton in Paris had made clear to Thouvenel the expectation of the United States that France would treat Southern privateers as pirates, Russell wrote that England, of course, could not agree to any such conclusion.[4] Nevertheless this did not mean that Russell yet saw any real objection to concluding a convention with the United States. Apparently he could not believe that so obvious an incon-

[1] F. O., Am., Vol. 765. No. 262. Lyons to Russell, June 8, 1861. Also Russell Papers, June 10, 1861. This disinclination to act extended also to the matter of getting in touch with the South, which they also postponed. It appeared that Mercier was instructed to order the French Consul at New Orleans to go in person to President Davis. Both diplomats were very fearful of an "outbreak" from Seward on this planned proposal to the Confederacy.

[2] F. O., France, Vol. 1376. No. 35. Draft. "Seen by Ld. Palmerston and the Queen."

[3] In Washington, so different was the point of view, Lyons and Mercier were now convinced they could not let Seward know of the proposal to be made to the South. They feared he would send them their passports. Mercier in informal talk had explained to Seward his instructions on the Declaration of Paris in so far as the North was concerned. Lyons and Mercier now planned a joint visit and representation to Seward—that which was actually attempted on June 15—but were decided to say nothing about the South, until they learned the effect of this "joint proposal." F. O., Am., Vol. 765. No. 262. Lyons to Russell, June 8, 1861.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 10. Russell to Grey, June 12, 1861.

sistency with the declared neutrality of Great Britain was expected to be obtained by the American Secretary of State.

Others were more suspicious. Lyons reported on June 13 that Seward had specifically informed Mercier of his belief that a convention signed would bind England and France to aid in suppressing Southern privateering.[1] The effect of this on Lyons and Mercier was to impress upon them the advisability of an *official* notification to Seward, of English and French neutrality—a step not yet taken and which was still postponed, awaiting further instructions.[2] On June 15 the two Ministers finally concluded they could no longer delay and made that joint visit to Seward which resulted in his refusal to receive them as acting together, or to receive officially their instructions, though he read these for his private information. The remainder of June was spent by Lyons in attempting to put matters on a more formal basis, yet not pushing them unduly for fear of arousing Seward's anger. June 17, Lyons told Seward, privately, and alone, that Great Britain *must* have some intercourse with the South if only for the protection of British interests. Seward's reply was that the United States might " shut its eyes " to this, but that if notified of what England and France were doing, the United States would be compelled to make protest. Lyons thereupon urged Seward to distinguish between his official and personal knowledge, but Lyons and Mercier again postponed beginning the negotiation with the Confederacy.[3] Yet while thus reporting this

[1] Stoeckl was writing his Government that the state to which the negotiation had come was full of danger and might lead to a serious quarrel. He thought Russia should keep out of it until results were clearer. On this report Gortchakoff margined " C'est aussi mon avis." (Russian Archives, Stoeckl to F. O., June 12-24, 1861. No. 1359.)

[2] F. O., Am., Vol. 766. No. 278.

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence respecting International Maritime Law." No. 14. Lyons to Russell, June 17, 1861. " Recd. June 30." It was in this interview that Lyons discovered Seward's misconception as to the position of the proposed negotiation, and made clear to Seward that he had no instructions to sign a convention.

postponement in one letter, Lyons, in another letter of the same date, indicated that the two Ministers thought that they had found a solution of the problem of how to approach, yet not negotiate with, the Confederacy. The idea was Mercier's. Their consuls in the South were to be instructed to go, not to the Southern President, but to the Governor of the State selected, thus avoiding any overture to the Confederate Government.[1] Even with this solution possible they still hesitated, feeling as Lyons wrote "a little pusillanimous," but believing they had prevented an explosion.[2] Moreover Lyons was a bit uneasy because of an important difference, so it seemed to him, in his formal instructions and those of Mercier. The latter had no orders, as had Lyons, to notify Seward, if the agreement on maritime law was made in Washington, that such agreement would not affect the belligerent right of the South to issue privateers.[3] Apparently Mercier had been given no instructions to make this clear—let alone any "latitude" to deal with privateering—although, as a matter of fact, he had already given Seward his personal opinion in accord with Lyons' instructions; but this was not an official French stand. Lyons was therefore greatly relieved, the "misunderstanding" now cleared away, that new instructions were being sent to Adams to go on with the convention in London. His only subsequent comment of moment was sent to Russell on July 8, when he learned from Seward that Dayton, in Paris, had been directed to raise no further question as to what would or would not be demanded of France in case a convention were signed for an American adherence to the Declaration of Paris. Lyons now repeated his former advice that under no circumstances should a convention be signed without a distinct declaration of no

[1] F. O., Am., Vol. 766. No. 284.
[2] Russell Papers. Lyons to Russell, June 18, 1861.
[3] *Ibid.* Lyons to Russell, June 21, 1861.

British responsibility or duty as regards Southern privateers.[1]

The entire matter was now transferred to London and Paris. Lyons' report of the misunderstanding and that new instructions were being sent to Adams was received on June 30. Russell replied to Lyons on July 5 that Adams had "never made any proposition" on the Declaration of Paris, and that he would now await one.[2] July 11, Adams made his formal offer to sign a convention and communicated a draft of it on the thirteenth. On the day intervening, the twelfth, Russell took a very important step indicative of his sincerity throughout, of his lack of any ulterior motive, and of his anxiety to carry through the negotiation with no resulting irritations or complications with the United States. He recalled his instructions to Lyons about communicating with the Confederacy, stating that in any case he had never intended that Lyons should act without first officially notifying Seward. This recall was now made, he wrote, because to go on might "create fresh irritation without any adequate result," but if in the meantime Lyons had already started negotiations with the South he might "proceed in them to the end."[3]

Having taken this step in the hope that it might avert friction with the United States, Russell, now distinctly eager to secure American adherence to the Declaration in

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 22. Writing privately on the same day Lyons comments on Mercier's "extreme caution" in his relations with Seward. Lyons implied that all this personal, rather than official communication of documents to Seward was Mercier's idea, and that he, Lyons, doubted the wisdom of this course, but had agreed to it because of the desire to act in perfect harmony with France. Russell Papers, Lyons to Russell, July 8, 1861.

[2] Lyons Papers.

[3] F. O., Am., Vol 756. No. 227. On this same day Russell was writing privately to Edward Everett, in Boston, a clear statement of the British position, defending the Proclamation of Neutrality and adding, "It is not our practice to treat five millions of freemen as pirates, and to hang their sailors if they stop our merchantmen. But unless we mean to treat them as pirates and to hang them, we could not deny them belligerent rights." C. F. Adams, "Seward and the Declaration of Paris," pp. 49-50.

full, was ready to conclude the convention at once. The warnings received from many sources did not dismay him. He probably thought that no actual difficulties would ensue, believing that the South would not venture to continue privateering. Even if France were disinclined to make a convention he appears to have been ready for signature by Great Britain alone, for on July 15 he telegraphed Cowley, "I conclude there can be no objection to my signing a Convention with the U.S. Minister giving the adherence of the U.S. to the Declaration of Paris so far as concerns Gt. Britain. Answer immediately by telegraph."[1] Cowley replied on the sixteenth that Thouvenel could not object, but thought it a wrong move.[2] Cowley in a private letter of the same day thought that unless there were "very cogent reasons for signing a Convention at once with Adams," it would be better to wait until France could be brought in, and he expressed again his fear of the danger involved in Adams' proposal.[3] The same objection was promptly made by Palmerston when shown the draft of a reply to Adams. Palmerston suggested the insertion of a statement that while ready to sign a convention Great Britain would do so only at the same time with France.[4] Thus advised Russell telegraphed in the late afternoon of the sixteenth to Cowley that he would "wait for your despatches to-morrow," and that no reply had yet been given Adams,[5] and on the seventeenth he wrote enclosing a draft,

[1] F. O., France, Vol. 1377. No. 176. Draft. Russell to Cowley, July 15, 1861.

[2] F. O., France, Vol. 1394. No. 871.

[3] Russell Papers. Also in a despatch of July 16 Cowley repeated his objections and stated that Dayton had not yet approached France. (F. O., France, Vol. 1394. No. 871.)

[4] F. O., Am., Vol. 755. No. 168. Enclosure. Palmerston's Note to Russell was not sent to Adams but his exact language is used in the last paragraph of the communication to Adams, November 18, as printed in *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 19.

[5] F. O., France, Vol. 1378. No. 730. Russell to Cowley, July 17, 1861. Containing draft of telegram sent on 16th at 4.30 p.m.

approved by Palmerston and the Queen, stating that Great Britain had no desire to act alone if Dayton really had instructions identical with those of Adams. He added that if thought desirable Adams and Dayton might be informed verbally, that the proposed Convention would in no way alter the Proclamation of Neutrality.[1]

The remaining steps in the negotiation have already been narrated.[2] Russell informed Adams of the requirement of a similar French convention, Adams secured action by Dayton, and in spite of continued French reluctance and suspicion[3] all was ready in mid-August for the affixing of signatures, when Russell, in execution of his previous promise, and evidently now impressed with the need of an explicit understanding, gave notice of his intended declaration in writing to be attached to the convention.[4] On August 20 both Adams and Dayton refused to sign, the former taking the ground, and with evident sincerity, that the "exception" gave evidence of a British suspicion that was insulting to his country, while Dayton had "hardly concealed" from Thouvenel that this same "exception" was the very object of the Convention.[5] While preparing his rejoinder to Adams' complaint Russell wrote in a note to Palmerston "it all looks as if a trap had been prepared."[6] He, too, at last, was forced to a conclusion long since reached by every other diplomat, save Adams, engaged in this negotiation.

But in reviewing the details of the entire affair it would

[1] *Ibid.* No. 729.

[2] See *ante* pp. 142-45.

[3] F. O., France, Vol. 1394. No. 905. Cowley to Russell, July 26, 1861.

[4] It should be noted that during this period Russell learned that on July 5, Lyons, before receiving the recall of instructions, had finally begun through Consul Bunch at Charleston the overtures to the South. On July 24, Russell approved this action (*Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 23.)

[5] F. O., France, Vol. 1395. No. 1031. Cowley to Russell, August 20, 1861.

[6] Palmerston MS., Russell to Palmerston, August 26, 1861.

appear that in its initiation by Seward there is no proof that he then thought of any definite "trap." April 24 antedated any knowledge by Seward of British or French policy on neutrality, and he was engaged in attempting to secure a friendly attitude by foreign Powers. One means of doing this was by giving assurances on maritime law in time of war. True he probably foresaw an advantage through expected aid in repressing privateering, but primarily he hoped to persuade the maritime Powers not to recognize Southern belligerency. It was in fact this question of belligerency that determined all his policy throughout the first six months of the American conflict. He was obstinately determined to maintain that no such status existed, and throughout the whole war he returned again and again to pressure on foreign Powers to recall their proclamations of neutrality. Refusing to recognize foreign neutrality as final Seward persisted in this negotiation in the hope that if completed it would place Great Britain and France in a position where they would be forced to reconsider their declared policy. A demand upon them to aid in suppressing privateering might indeed then be used as an argument, but the object was not privateering in itself; that object was the recall of the recognition of Southern belligerency. In the end he simply could not agree to the limiting declaration for it would have constituted an acknowledgment by the United States itself of the existence of a state of war.

In all of this Adams, seemingly, had no share. He acted on the simple and straightforward theory that the United States, pursuing a conciliatory policy, was now offering to adhere to international rules advocated by all the maritime powers. As a result he felt both personally and patriotically aggrieved that suspicion was directed toward the American overtures.[1] For him the failure of the

[1] See C. F Adams, "Seward and the Declaration of Paris," pp. 58 and 74.

negotiation had temporarily, at least, an unfortunate result: "So far as the assumed friendliness of Earl Russell to the United States was concerned, the scales had fallen from his eyes. His faith in the straightforwardness of any portion of the Palmerston-Russell Ministry was gone."[1]

And for Russell also the affair spelled a certain disillusionment, not, it is true, in the good faith of Adams, for whom he still preserved a high regard. Russell felt that his policy of a straightforward British neutrality, his quick acquiescence in the blockade, even before actually effective, his early order closing British ports to prizes of Confederate privateers,[2] were all evidences of at least a friendly attitude toward the North. He may, as did nearly every Englishman at the moment, think the re-union of America impossible, but he had begun with the plan of strict neutrality, and certainly with no thought of offensive action against the North. His first thought in the Declaration of Paris negotiation was to persuade both belligerents to acquiesce in a portion of the rules of that Declaration, but almost at once he saw the larger advantage to the world of a complete adherence by the United States. This became Russell's fixed idea in which he persisted against warnings and obstacles. Because of this he attempted to recall the instruction to approach the South, was ready even, until prohibited by Palmerston, to depart from a policy of close joint action with France, and in the end was forced by that prohibition to make a limiting declaration guarding British neutrality. In it all there is no evidence of any hidden motive nor of any other than a straightforward, even if obstinately blind, procedure. The effect on Russell, at last grudgingly admitting that there had been a "trap,"

[1] Adams, *Life of C. F. Adams*, p. 209.

[2] The Confederate Commissions on August 14, 1861, just before the critical moment in the Declaration of Paris negotiation, had made vigorous protest against this British order, characterizing it as giving a "favour" to the Government at Washington, and thus as lacking in neutrality. Quoted by C. F. Adams, "Seward and the Declaration of Paris," p. 31.

was as unfortunate for good understanding as in the case of Adams. He also was irritated, suspicious, and soon less convinced that a policy of strict neutrality could long be maintained.[1]

[1] A few facts about Southern privateering not directly pertinent to this chapter are yet not without interest. There was no case during the Civil War of a vessel actually going out as a privateer (i.e., a private vessel operating under government letters of marque) from a foreign port. (Adams, "Seward and the Declaration of Paris," p. 38.) No Southern privateer ever entered a British port. (Bernard, *Neutrality of Great Britain*, p. 181). As a result of Seward's general instruction of April 24, a convention was actually signed with Russia in August, but it was not presented by Seward for ratification to the United States Senate. Schleiden in a report to the Senate of Bremen at the time of the *Trent* affair, Nov. 14, 1861, stated that the Russian Ambassador, von Stoeckl, inquired of Seward "whether the U.S. would equip privateers in case war should break out with England and France. Seward replied 'that is a matter of course.' Mr. Stoeckl thereupon remarked that in any case no American privateer would be permitted to cruise in the northern part of the Pacific because Russia, which is the only state that has ports in those regions, would treat them as pirates in accordance with the Convention of August 24. Mr. Seward then exclaimed: 'I never thought of that. I must write to Mr. Clay about it.'" (Schleiden MS.)

CHAPTER VI

BULL RUN; CONSUL BUNCH; COTTON AND MERCIER

THE diplomatic manœuvres and interchanges recounted in the preceding chapter were regarded by Foreign Secretaries and Ministers as important in themselves and as indicative of national policy and purpose. Upon all parties concerned they left a feeling of irritation and suspicion. But the public knew nothing of the details of the inconclusive negotiation and the Press merely gave a hint now and then of its reported progress and ultimate failure. Newspapers continued to report the news from America in unaccustomed detail, but that news, after the attack on Fort Sumter, was for some time lacking in striking incident, since both sides in America were busily engaged in preparing for a struggle in arms for which neither was immediately prepared. April 15, Lincoln called for 75,000 volunteers, and three weeks later for 42,000 additional. The regular army was increased by 23,000 and the navy by 18,000 men. Naval vessels widely scattered over the globe, were instructed to hasten their home-coming. By July 1 Lincoln had an available land force, however badly trained and organized, of over 300,000, though these were widely scattered from the Potomac in the east to the Missouri in the west.

In the South, Davis was equally busy, calling at first for 100,000 volunteers to wage defensive battle in protection of the newly-born Confederacy. The seven states already in secession were soon joined, between May 4 and June 24, by four others, Arkansas, Virginia, North Carolina and

Tennessee in order, but the border states of Maryland, Kentucky, and Missouri, though strongly sympathetic with the rest of the South, were held to the Union by the "border state policy" of Lincoln, the first pronouncement of which asserted that the North had no purpose of attacking slavery where it existed, but merely was determined to preserve the Union. The Northern Congress, meeting in extra session on July 4, heartily approved Lincoln's emergency measures. It authorized an army of 500,000, provided for a loan of $200,000,000, sanctioned the issue of $50,000,000 in Treasury notes and levied new taxes, both direct and by tariffs to meet these expenditures.

In the months preceding the attack on Sumter the fixed determination of the South to secede and the uncertainty of the North had led the British press to believe that the decision rested wholly with the South. Now the North by its preparations was exhibiting an equally fixed determination to preserve the Union, and while the British press was sceptical of the permanence of this determination, it became, for a short time, until editorial policy was crystallized, more cautious in prophecy. The *Economist* on May 4 declared that the responsibility for the "fatal step" rested wholly on Southern leaders because of their passionate desire to extend the shameful institution of which they were so proud, but that the North must inevitably, by mere weight of population and wealth, be the victor, though this could not conceivably result in any real reunion, rather in a conquest requiring permanent military occupation. Southern leaders were mad: "to rouse by gratuitous insult the mettle of a nation three times as numerous and far more than three times as powerful, to force them by aggressive steps into a struggle in which the sympathy of every free and civilized nation will be with the North, seems like the madness of men whose eyes are blinded and hearts hardened by the evil cause they defend."

Two weeks later, the *Economist*, while still maintaining the justice of the Northern cause, though with lessened vigour, appealed to the common sense of the North to refrain from a civil war whose professed object was unattainable. "Everyone knows and admits that the secession is an accomplished, irrevocable, fact. . . . Even if the North were sure of an easy and complete victory—short, of course, of actual subjugation of the South (which no one dreams of)—the war which was to end in such a victory would still be, in the eyes of prudence and worldly wisdom, an objectless and unprofitable folly."[1] But by the middle of June the American irritation at the British Proclamation of Neutrality, loudly and angrily voiced by the Northern press, had caused a British press resentment at this "wilful misrepresentation and misjudgment" of British attitude. "We *do* believe the secession of the Slave States to be a *fait accompli*—a completed and irreversible transaction. We believe it to be impossible now for the North to lure back the South into the Union by any compromise, or to compel them back by any force." "If this is an offence it cannot be helped."[2]

The majority of the London papers, though not all, passed through the same shifts of opinion and expression as the *Economist;* first upbraiding the South, next appealing to the North not to wage a useless war, finally committing themselves to the theory of an accomplished break-up of the Union and berating the North for continuing, through pride alone, a bloody conflict doomed to failure. Meanwhile in midsummer attention was diverted from the ethical causes at issue by the publication in the *Times* of Motley's letter analysing the nature of the American constitution and defending the legal position of the North in its resistance to secession. Motley wrote in protest against the general

[1] *Economist*, May 18, 1861.
[2] *Ibid.*, June 29, 1861.

British press attitude: "There is, perhaps, a readiness in England to prejudge the case; a disposition not to exult in our downfall, but to accept the fact. . . ."[1]

He argued the right and the duty of the North to force the South into subjection. "The right of revolution is indisputable. It is written on the record of our race. British and American history is made up of rebellion and revolution. . . . There can be nothing plainer, then, than the American right of revolution. But, then, it should be called revolution." "It is strange that Englishmen should find difficulty in understanding that the United States Government is a nation among the nations of the earth; a constituted authority, which may be overthrown by violence, as may be the fate of any state, whether kingdom or republic, but which is false to the people if it does not its best to preserve them from the horrors of anarchy, even at the cost of blood."

Motley denied any *right* of *peaceful* secession, and his constitutional argument presented adequately the Northern view. But he was compelled also to refer to slavery and did so in the sense of Lincoln's inaugural, asserting that the North had no purpose of emancipating the slaves. "It was no question at all that slavery within a state was sacred from all interference by the general government, or by the free states, or by individuals in those states; and the Chicago Convention [which nominated Lincoln] strenuously asserted that doctrine." Coming at the moment when the British press and public were seeking ground for a shift from earlier pro-Northern expressions of sympathy to some justification for the South, it may be doubted whether Motley's letter did not do more harm than good to the Northern cause. His denial of a Northern anti-slavery purpose gave excuse for a, professedly, more calm

[1] J. L. Motley, *The Causes of the American Civil War*. Published as a pamphlet. N.Y., 1861.

and judicial examination of the claimed *Southern right* of secession, and his legal argument could be met, and was met, with equally logical, apparently, pro-Southern argument as to the nature of the American constitution. Thus early did the necessity of Lincoln's " border state policy "—a policy which extended even to warnings from Seward to American diplomats abroad not to bring into consideration the future of slavery—give ground for foreign denial that there were any great moral principles at stake in the American conflict.

In the meantime the two sections in America were busily preparing for a test of strength, and for that test the British press, reporting preparations, waited with interest. It came on July 21 in the first battle of Bull Run, when approximately equal forces of raw levies, 30,000 each, met in the first pitched battle of the war, and where the Northern army, after an initial success, ultimately fled in disgraceful rout. Before Bull Run the few British papers early taking strong ground for the North had pictured Lincoln's preparations as so tremendous as inevitably destined to crush, quickly, all Southern resistance. The *Daily News* lauded Lincoln's message to Congress as the speech of a great leader, and asserted that the issue in America was for all free people a question of upholding the eternal principles of liberty, morality and justice. " War for such a cause, though it be civil war, may perhaps without impiety be called ' God's most perfect instrument in working out a pure intent.' "[1] The disaster to the Northern army, its apparent testimony that the North lacked real fighting men, bolstered that British opinion which regarded military measures against the South as folly—an impression reinforced in the next few months by the long pause by the North before undertaking any further great effort in the field. The North was not really ready for determined war,

[1] *Daily News*, July 19, 1861.

indeed, until later in the year. Meanwhile many were the moralizations in the British press upon Bull Run's revelation of Northern military weakness.

Probably the most influential newspaper utterances of the moment were the letters of W. H. Russell to the *Times*. This famous war-correspondent had been sent to America in the spring of 1861 by Delane, editor of the *Times*, his first letter, written on March 29, appearing in the issue of April 16. He travelled through the South, was met everywhere with eager courtesy as became a man of his reputation and one representing the most important organ of British public opinion, returned to the North in late June, and at Washington was given intimate interviews by Seward and other leaders. For a time his utterances were watched for, in both England and America, with the greatest interest and expectancy, as the opinions of an unusually able and thoroughly honest, dispassionate observer. He never concealed his abhorrence of slavery, terming apologists of that institution " the miserable sophists who expose themselves to the contempt of the world by their paltry theiscles on the divine origin and uses of Slavery . . ."[1] and writing " day after day . . . the impression of my mind was strengthened that ' States Rights ' meant protection to slavery, extension of slave territory, and free-trade in slave produce with the other world."[2] But at the same time he depicted the energy, ability, and determination of the South in high colours, and was a bit doubtful of similar virtues in the North. The battle of Bull Run itself he did not see, but he rode out from Washington to meet the defeated army, and his description of the routed rabble, jostling and pushing, in frenzy toward the Capitol, so ridiculed Northern fighting spirit as to leave a permanent

[1] Russell, *My Diary, North and South*, p. 159, Boston, 1863. This work is in effect a condensation of Russell's letters to the *Times*, but contains many intimate descriptions not given in the newspaper.

[2] *Ibid.*, p. 315.

sting behind it. At the same time it convinced the British pro-Southern reader that the Northern effort was doomed to failure, even though Russell was himself guarded in opinion as to ultimate result. " ' What will England and France think of it ? ' is the question which is asked over and over again," wrote Russell on July 24,[1] expatiating on American anxiety and chagrin in the face of probable foreign opinion. On August 22 he recorded in his diary the beginnings of the American newspaper storm of personal attack because of his description of the battle in the *Times*—an attack which before long became the alleged cause of his recall by Delane.[2] In fact Russell's letters added nothing in humiliating description to the outpourings of the Northern press, itself greedily quoted by pro-Southern foreign papers. The impression of Northern military incapacity was not confined to Great Britain—it was general throughout Europe, and for the remainder of 1861 there were few who ventured to assert a Northern success in the war.[3]

Official Britain, however, saw no cause for any change in the policy of strict neutrality. Palmerston commented privately, " The truth is, the North are fighting for an Idea chiefly entertained by professional politicians, while the South are fighting for what they consider rightly or wrongly vital interests," thus explaining to his own satisfaction why a Northern army of brave men had *chosen*

[1] The *Times*, August 10, 1861.

[2] Russell, *My Diary*, London, 1863, II, p. 296. This edition varies somewhat from that published at Boston and previously cited. The *New York Times* became Russell's most vicious critic, labelling him " Bull Run Russell," a name which stuck, and beginning its first article on his sins "The terrible epistle has been read with quite as much avidity as an average President's message. We scarcely exaggerate the fact when we say, the first and foremost thought on the minds of a very large portion of our people after the repulse at *Bull's Run* was, what will Russell say ? " *Ibid.*, p. 297. As to his recall Russell afterwards asserted that it was really due to a variance of opinion with Delane, the former being really pro-Northern in sympathy and in conviction of ultimate victory. This will be examined later when Russell's position as an independent editor in London becomes important.

[3] For similar German impressions see G. H. Putnam, *Memories of My Youth*, N.Y., 1914, p. 187.

to *run* away,[1] but the Government was careful to refrain from any official utterances likely to irritate the North. The battle served, in some degree, to bring into the open the metropolitan British papers which hitherto professing neutrality and careful not to reveal too openly their leanings, now each took a definite stand and became an advocate of a cause. The Duke of Argyll might write reassuringly to Mrs. Motley to have no fear of British interference,[2] and to Gladstone (evidently controverting the latter's opinion) that slavery was and would continue to be an object in the war,[3] but the press, certainly, was not united either as to future British policy or on basic causes and objects of the war. The *Economist* believed that a second Southern victory like Bull Run, if coming soon, would " so disgust and dishearten the shouters for the Union that the contest will be abandoned on the instant. . . . Some day, with scarcely any notice, we may receive tidings that an armistice has been agreed upon and preliminaries of peace have been signed."[4] John Bright's paper, the *Morning Star*, argued long and feverishly that Englishmen must not lose sight of the fact that slavery was an issue, and made appeal for expressions, badly needed at the moment, of pro-Northern sympathy.[5] To this *John Bull* retorted:

> " Nothing can be clearer than this, that black slavery has nothing whatever to do with this Civil War in America. . . . The people of America have erected a political idol. The Northerners have talked and written and boasted so much about their Republic that they have now become perfectly furious to find that their idol can be overthrown,

[1] Newton, *Lord Lyons*, I, p. 48. In the same view Russell wrote to Lyons, August 16. " The defeat of Manassas or Bull's Run seems to me to show a great want of zeal. For I cannot believe the descendants of the men of 1776 and indeed of 1815 to be totally wanting in courage." (Lyons Papers.)

[2] Motley, *Correspondence*, II, p. 31. August 20, 1861.

[3] Gladstone Papers, August 29, 1861.

[4] *Economist*, Aug. 17, 1861.

[5] *Morning Star*, Sept. 10, 1861.

> and that the false principles upon which the American Republic is built should be exhibited to the world, that their vaunted democracy should be exposed as a mere bubble or a piece of rotten timber, an abominable and worthless tyranny of the sovereign mob."[1]

Here was an early hint of the future of democracy as at issue.[2] *John Bull*, the "country squire's paper," might venture to voice the thought, but more important papers were still cautious in expressing it. W. H. Russell, privately, wrote to Delane: "It is quite obvious, I think, that the North will succeed in reducing the South."[3] But Delane permitted no such positive prophecy to appear in the *Times*. Darwin is good testimony of the all-prevalent British feeling: "I hope to God we English are utterly wrong in doubting whether the North can conquer the South." "How curious it is that you seem to think that you can conquer the South; and I never meet a soul, even those who would most wish it, who think it possible—that is, to conquer and retain it."[4]

In September, after the first interest in Bull Run had waned, there appeared several books and articles on the American question which gave opportunity for renewal of newspaper comment and controversy. A Dr. Lempriere, "of the Inner Temple, law fellow of St. John's College, Oxford," published a work, *The American Crisis Considered*, chiefly declamatory, upholding the right of Southern secession, stating that no one "who has the slightest acquaintance with the political action of history would term the present movement rebellion." With this the *Spectator* begged leave to differ.[5] The *Saturday Review*

[1] *John Bull*, Sept. 14, 1861.
[2] To be discussed fully in Chapter XVIII.
[3] Sept. 13, 1861. Dasent, *Delane*, II, p. 34.
[4] Darwin to Asa Gray, Sept. 17 and Dec. 11, 1861. Cited in *Rhodes*, III, p. 510.
[5] *Spectator*, Sept. 14, 1861.

acknowledged that a prolonged war might force slavery and emancipation to the front, but denied them as vital at present, and offered this view as a defence against the recrimination of Mrs. Harriet Beecher Stowe, who had accused the paper of unfair treatment in a review of her pamphlet exhibiting emancipation as the object of the North. Under the caption, "Mrs. Beecher Stowe's Wounded Feelings," the *Saturday Review* avowed disbelief in the existence of a "Holy War" in America. "The North does not proclaim abolition and never pretended to fight for anti-slavery. The North has not hoisted for its oriflamme the Sacred Symbol of Justice to the Negro; its *cri de guerre* is not unconditional emancipation." "The Governmental course of the British nation . . . is not yet directed by small novelists and their small talk"[1] Thomas Hughes also came in for sarcastic reference in this article, having promptly taken up the cudgels for Mrs. Stowe. He returned to the attack through the columns of the *Spectator*, reasserting slavery as an issue and calling on Englishmen to put themselves in the place of Americans and realize the anger aroused by "deliberate imputations of mean motives," and by the cruel spirit of the utterances. A nation engaged in a life and death struggle should not be treated in a tone of flippant and contemptuous serenity. The British press had chosen "to impute the lowest motives, to cull out and exult over all the meanness, and bragging, and disorder which the contest has brought out, and while we sit on the bank, to make no allowances for those who are struggling in the waves."[2]

Besides the *Spectator*, on the Northern side, stood the *Daily News*, declaring that the South could not hold out, and adding, "The Confederate States may be ten millions,

[1] *Saturday Review*, Sept. 14, 1861.
[2] *Spectator*, Sept. 21, 1861.

but they *are* wrong—notoriously, flagrantly wrong."[1] The *Daily News*, according to its "Jubilee" historians, stood almost alone in steadfast advocacy of the Northern cause.[2] This claim of unique service to the North is not borne out by an examination of newspaper files, but is true if only metropolitan dailies of large circulation are considered. The *Spectator* was a determined and consistent friend of the North. In its issue of September 28 a speech made by Bulwer Lytton was summarized and attacked. The speaker had argued that the dissolution of the Union would be beneficial to all Europe, which had begun to fear the swollen size and strength of the young nation across the Atlantic. He hoped that the final outcome would be not two, but at least four separate nations, and stated his belief that the friendly emulation of these nations would result for Americans in a rapid advance in art and commerce such as had been produced in the old commonwealths of Greece. The *Spectator* answered that such a breaking up of America was much more likely to result in a situation comparable to that in South America, inquired caustically whether Bulwer Lytton had heard that slavery was in question, and asserted that his speech presumably represented the official view of the Tories, and embodied that of the English governing class.[3]

In press utterances during the autumn and early fall of 1861 there is little on British policy toward America. Strict neutrality is approved by all papers and public speakers. But as the months passed without further important military engagements attention began to be directed toward the economic effects on England of the war

[1] *Daily News*, Sept. 17 and Oct. 10, 1861. The statement is in reply to an article in the *Times* of October 9, arguing that even if the South were regarded as in the wrong, they had ten millions, a fact that was conclusive.

[2] *The Daily News Jubilee*. By Justin McCarthy and John R. Robinson, pp. 69-77.

[3] *Spectator*, Sept. 28, 1861.

in America and to the blockade, now beginning to be made effective by the North. The *Saturday Review*, though pro-Southern, declared for neutrality, but distinguished between strict observance of the blockade and a reasonable recognition of the *de facto* government of the Confederacy "as soon as the Southern States had achieved for their independence that amount of security with which Great Britain had been satisfied in former cases."[1] But another article in the same issue contained a warning against forcibly raising the blockade since this must lead to war with the North, and that would commend itself to no thoughtful Englishman. Two weeks later appeared a long review of Spence's *American Union*, a work very influential in confirming British pro-Southern belief in the constitutional right of the South to secede and in the certainty of Southern victory. Spence was "likely to succeed with English readers, because all his views are taken from a thoroughly English standpoint."[2] The week following compliments are showered upon the "young professor" Montague Bernard for his "Two Lectures on the Present American War," in which he distinguished between recognition of belligerency and recognition of sovereignty, asserting that the former was inevitable and logical. The *Saturday Review*, without direct quotation, treated Bernard as an advocate also of the early recognition of Southern independence on the ground that it was a *fait accompli*, and expressed approval.[3]

These few citations, taken with intent from the more sober and reputable journals, summarize the prevailing attitude on one side or the other throughout the months from June to December, 1861. All publications had much

[1] *Saturday Review*, Nov. 2, 1861.

[2] *Ibid.*, Nov. 16. Spence's book rapidly went through many editions, was widely read, and furnished the argument for many a pro-Southern editorial. Spence himself soon became the intimate friend and adviser of Mason, the Confederate envoy to England.

[3] *Ibid.*, Nov. 23, 1861. The inference from Bernard's la guage is perhaps permissible, but not inevitable.

to say of the American struggle and varied in tone from dignified criticism to extreme vituperation, this last usually being the resort of lesser journals, whose leader writers had no skill in " vigorous " writing in a seemingly restrained manner. " Vigorous " leader writing was a characteristic of the British press of the day, and when combined with a supercilious British tone of advice, as from a superior nation, gave great offence to Americans, whether North or South. But the British press was yet united in proclaiming as correct the governmental policy of neutrality, and in any event Motley was right in stating " the Press is not the Government," adding his opinion that " the present English Government has thus far given us no just cause of offence."[1] Meanwhile the Government, just at the moment when the Declaration of Paris negotiation had reached an inglorious conclusion, especially irritating to Earl Russell, was suddenly plunged into a sharp controversy with the United States by an incident growing out of Russell's first instructions to Lyons in regard to that negotiation and which, though of minor importance in itself, aroused an intensity of feeling beyond its merits. This was the recall by Seward of the exequatur of the British consul Bunch, at Charleston, South Carolina.

It will be remembered that in his first instruction to Lyons on the Declaration of Paris Russell had directed that Bunch, at Charleston, be commissioned to seek a Southern official acceptance of the binding force of the second and third articles, but that Lyons and Mercier, fearing Seward's irritation, had hesitated to proceed in the matter. Later Russell had recalled his instructions, but before this recall could reach Lyons the latter had decided to act.[2] On July 5 Lyons gave explicit directions to Bunch not to approach the Confederate Government directly, but to go

[1] Motley, *Correspondence*, II, p. 37. To his mother, Oct. 18, 1861.
[2] See *ante*, Ch. V.

to Governor Pickens of South Carolina and explain the matter to him verbally, adding "you should act with great caution, in order to avoid raising the question of the recognition of the new Confederation by Great Britain." Unfortunately Lyons also wrote, "I am authorized by Lord John Russell to confide the negotiation on this matter to you," thus after all implying that a real *negotiation* with the South was being undertaken. On the same day Mercier sent similar instructions to St. André, the French Acting-Consul at Charleston.[1] Bunch received Lyons' official letter on July 19,[2] together with a private one of July 5, emphasizing that Bunch was to put nothing in writing, and that he and his French colleagues were to keep the names of Lyons and Mercier out of any talk, even, about the matter. Bunch was to talk as if his instructions came directly from Russell. Lyons hoped the South would be wise enough not to indulge in undue publicity, since if "trumpeted" it might elicit "by such conduct some strong disavowal from France and England." Both the official and the private letter must, however, have impressed Bunch with the idea that this was after all a negotiation and that he had been entrusted with it.[3]

Bunch, whose early reports had been far from sympathetic with the Southern cause, had gradually, and quite naturally from his environment, become more friendly to it.[4] He now acted with promptness and with some

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting International Maritime Law." No. 21 and Inclosure. Belligny was in fact the French agent at Charleston who acted with Bunch.

[2] F. O., Am., Vol. 768. No. 392. Lyons to Russell, Aug. 2, 1861. It is interesting to note that fourteen days were here required to transmit a letter that in ordinary times would have reached its destination in two days. Lyons states that he does not intend to inform Mercier of Russell's attempted recall of instructions.

[3] F. O., Am., Vol. 767. No. 324. Inclosure No. 2. Private. Lyons to Bunch, July 5, 1861. Bunch in reporting to Lyons, also used the word "negotiation."

[4] When Davis proclaimed privateering Bunch had thought this indicated a "low morality" and that Southern privateers would be in reality pirates. F. O., Am., Vol. 763. Inclosure in No. 162. Bunch to Russell, April 18, 1861.

evident exultation at the importance given him personally. In place of Governor Pickens an experienced diplomat, William Henry Trescott, was approached by Bunch and Belligny, who, not St. André, was then the French agent at Charleston.[1] Trescott went directly to President Davis, who at once asked why the British proposal had not been made through the Confederate Commissioners in London, and who somewhat unwillingly yielded to Trescott's urging. On August 13 the Confederate Congress resolved approval of the Declaration of Paris except for the article on privateering.[2] Bunch took great pride in the secrecy observed. "I do not see how any clue is given to the way in which the Resolutions have been procured. . . . We made a positive stipulation that France and England were not to be alluded to in the event of the compliance of the Confederate Govt.,"[3] he wrote Lyons on August 16. But he failed to take account either of the penetrating power of mouth-to-mouth gossip or of the efficacy of Seward's secret agents. On this same day, August 16, Lyons reported the arrest in New York, on the fourteenth, of one Robert Mure, just as he was about to take passage for Liverpool carrying a sealed bag from the Charleston consulate to the British Foreign Office, as well as some two hundred private letters. The letters were examined and among them was one which related Bunch's recent activities and stated that "Mr. B., on oath of secrecy, communicated to me also that the first step of recognition was taken."[4] The sealed bag was sent unopened to be handed by Adams to Russell with an

[1] Bancroft's account, *Seward*, II, pp. 197-203, states that Pickens was absent from Charleston. Bunch's account privately was that he and Belligny thought Pickens "totally unfit to be intrusted with anything in which judgment and discretion are at all necessary." (Lyons Papers. Bunch to Lyons, Aug. 16, 1861.)

[2] Bancroft, *Seward*, II, p. 198.

[3] Lyons Papers. Bunch to Lyons.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Withdrawal of Bunch's Exequatur." No. 4. Adams to Russell, Sept. 3, 1861.

enquiry whether in fact it contained any papers on the alleged "negotiation" with the South.

Bunch had issued to Mure a paper which the latter regarded as a passport, as did the United States. This also was made matter of complaint by Adams, when on September 3 the affair was presented to Russell. America complained of Bunch on several counts, the three principal ones being (1) that he had apparently conducted a negotiation with the Confederacy, (2) that he had issued a passport, not countersigned by the Secretary of State as required by the United States rules respecting foreign consuls, (3) that he had permitted the person to whom this passport was issued to carry letters from the enemies of the United States to their agents abroad. On these grounds the British Government was requested to remove Bunch from his office. On first learning of Mure's arrest Lyons expressed the firm belief that Bunch's conduct had been perfectly proper and that the sealed bag would be found to contain nothing supporting the suspicion of the American Government.[1] The language used by Lyons was such as to provide an excellent defence in published despatches, and it was later so used. But privately neither Lyons nor Russell were wholly convinced of the correctness of Bunch's actions. Bunch had heard of Mure's arrest on August 18, and at once protested that no passport had been given, but merely a "Certificate to the effect that he [Mure] was a British Merchant residing in Charleston" on his way to England, and that he was carrying official despatches to the Foreign Office.[2] In fact Mure had long since taken out American citizenship papers, and the distinction between passport and certificate seems an evasion. Officially Lyons could report "it is clear that Mr. Robert Mure, in taking charge

[1] *Ibid.* No. 2. Lyons to Russell, Aug. 19, 1861.

[2] Russell Papers. Bunch to Lyons, Aug. 18, 1861. Copy in Lyons to Russell, Aug. 31, 1861.

of the letters which have been seized, abused Mr. Bunch's confidence, for Mr. Bunch had positive instructions from me not to forward himself any letters alluding to military or political events, excepting letters to or from British officials."[1] This made good reading when put in the published Parliamentary Papers. But in reality the sending of private letters by messenger also carrying an official pouch was no novelty. Bunch had explained to Lyons on June 23 that this was his practice on the ground that " there is really no way left for the merchants but through me. If Mr. Seward objects I cannot help it. I must leave it to your Lordship and H.M.'s Government to support me. My own despatch to Lord J. Russell I must send in some way, and so I take the responsibility of aiding British interests by sending the mercantile letters as well."[2] And in Bunch's printed report to Lyons on Mure's arrest, his reply as to the private letters was, " I could not consider him [Mure] as being disqualified from being the bearer of a bag to Earl Russell, by his doing what everyone who left Charleston was doing daily. . . ."[3]

Officially Lyons, on September 2, had reported a conversation with Belligny, the French Consul at Charleston, now in Washington, writing, " I am confirmed in the opinion that the negotiation, which was difficult and delicate, was managed with great tact and good judgment by the two Consuls."[4] But this referred merely to the use of Trescott and its results, not to Bunch's use of Mure. The British Government was, indeed, prepared to defend the action of its agents in securing, *indirectly*, from the South, an

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on the Withdrawal of Bunch's Exequatur." No. 7. Lyons to Russell, Aug. 23, 1861.

[2] Lyons Papers. Bunch to Lyons, June 23, 1861.

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on the Withdrawal of Bunch's Exequatur." No. 15. Inclosures. Bunch to Lyons, Sept. 30, 1861.

[4] *Ibid.* " Correspondence respecting International Maritime Law." No. 39. Lyons to Russell.

acknowledgment of certain principles of international law. Russell did not believe that Lincoln was " foolhardy enough to quarrel with England and France," though Hammond (Under Secretary of Foreign Affairs) " is persuaded that Seward wishes to pick a quarrel."[1] Enquiry was promptly made of France, through Cowley, as to her stand in the matter of the consuls at Charleston, Russell intimating by an enquiry (later printed in the Parliamentary Papers), as to the initiation of the Declaration of Paris negotiations, that it was Thouvenel who had first suggested the approach to the South through the Consuls.[2] This was an error of memory,[3] and Cowley was perturbed by Thouvenel's reticence in reply to the main question. The latter stated that if a like American demand were made on France " undoubtedly he could not give up an Agent who had done no more than execute the orders entrusted to him."[4] This looked like harmony, but the situation for the two countries was not the same as no demand had been made for the recall of Belligny. Cowley was, in reality, anxious and suspicious, for Thouvenel, in conversation, attributed Seward's anger to Bunch's alleged indiscretions in talk, and made it clear that France would not " stand by " unless Seward should protest to France against the fact of a communication (not a *negotiation*) having been held with the Confederacy.[5] Before the French reply was secured Russell had prepared but not sent an answer to Adams, notifying him that the bag from Bunch, on examination, was found not to contain " correspondence of the enemies

[1] Palmerston MS. Russell to Palmerston, Sept. 6, 1861.

[2] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on the Withdrawal of Bunch's Exequatur." No. 6. Russell to Cowley, Sept. 7, 1861.

[3] Russell Papers. Cowley to Russell. Private. Sept. 17, 1861.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on Withdrawal of Bunch's Exequatur." No. 10. Cowley to Russell, Sept. 10, 1861.

[5] F. O., France, Vol. 1396. No. 1112. Cowley to Russell, Sept. 10, 1861. Also Russell Papers. Cowley to Russell. Private. Sept. 10, 1861.

of the Government of the United States" as had been suspected, and transmitting a copy of Bunch's explanation of the reason for forwarding private letters.[1] In another letter to Adams of the same date Russell avowed the Government's responsibility for Bunch's action on the Declaration of Paris, and declined to recall him, adding:

> "But when it is stated in a letter from some person not named, that the first step to the recognition of the Southern States by Great Britain has been taken, the Undersigned begs to decline all responsibility for such a statement.
>
> "Her Majesty's Government have already recognized the belligerent character of the Southern States, and they will continue to recognize them as belligerents. But Her Majesty's Government have not recognized and are not prepared to recognize the so-called Confederate States as a separate and independent State."[2]

Adams received Russell's two notes on September 13,[3] and merely stated that they would be despatched by the next steamer. That Russell was anxious is shown by a careful letter of caution to Lyons instructing him if sent away from Washington "to express in the most dignified and guarded terms that the course taken by the Washington Government must be the result of a misconception on their part, and that you shall retire to Canada in the persuasion that the misunderstanding will soon cease, and the former friendly relations be restored."[4] Meantime Russell was far from satisfied with Bunch, writing Lyons to inform him that the "statements made in regard to his proceedings

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on the Withdrawal of Bunch's Exequatur." No. 9. Russell to Adams, Sept. 9, 1861.

[2] *Ibid.* No. 8. Two days later, September 11, Russell wrote to Palmerston that Motley was ignorant of Seward's intentions, and that the Queen wished a modification of the "phrase about not being prepared to recognize," but that he was against any change. Palmerston MS.

[3] *Ibid.* No. 12. Adams to Russell.

[4] Russell to Lyons, Sept. 13, 1861. (Cited in Newton, *Lyons*, I, p. 52.)

require explanation."[1] The failure of Seward to demand Belligny's recall worried Russell. He wrote to Palmerston on September 19, " I cannot believe that the Americans, having made no demand on the French to disavow Belligny, or Baligny, will send away Lyons," and he thought that Seward ought to be satisfied as England had disavowed the offensive part of Bunch's supposed utterances. He was not in favour of sending reinforcements to the American stations : " If they do not quarrel about Bunch, we may rest on our oars for the winter."[2] There was nothing further to do save to wait Seward's action on receipt of the British refusal to recall Bunch. At this moment Lyons at Washington was writing in a hopeful view of " avoiding abstract assertions of principles," but accustoming the North to the *practice* of British recognition of Southern belligerent rights.[3] Lyons believed that Seward would not go further than to withdraw Bunch's exequatur, but he was anxious for the return of Mercier (long absent with Prince Napoleon), since " our position is unluckily not exactly the same with that of France."[4] On October 12 Lyons conferred at length with Seward on the Bunch matter, as usual, privately and unofficially. Seward dwelt on a letter just received from Motley assuring him that Great Britain was not " unfriendly to the United States," and " appeared anxious not to pick a quarrel, yet hardly knowing how to retract from his original position." Lyons told

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on the Withdrawal of Bunch's Exequatur." No. 11. Russell to Lyons, Sept. 14, 1861.

[2] Palmerston MS. Russell to Palmerston, Sept. 19, 1861.

[3] Russell Papers. Lyons to Russell. *Private*. Sept. 24, 1861.

[4] *Ibid*. Sept. 27, 1861. The facts about Belligny were, as reported by Lyons and Cowley, that before Bunch's activities became known, the French Consul had been recalled and replaced by another man, St. André. It will have been noted that when Lyons and Mercier sent their instructions to the consuls at Charleston that of Mercier was addressed to St. André. Apparently he had not reached Charleston. Thus there was no opportunity to demand the recall of Belligny. Bancroft (*Seward*, II, p. 203), unaware of this, presumes that Seward " thought it important not to give them (England and France) a common grievance."

Seward that it would be "impossible to carry on the Diplomatic business . . . on the false hypothesis that the United States Government" did not *know* England and France had recognized the belligerent rights of the South, and he urged Russell to get from France an open acknowledgment, such as England has made, that she "negotiated" with the Confederacy. Lyons thought Mercier would try to avoid this, thus seeking to bring pressure on the British Government to adopt his plan of an early recognition of Southern independence. Like Cowley, Lyons was disturbed at the French evasion of direct support in the Bunch affair.[1]

Bunch's formal denial to Lyons of the charges made against him by the United States was confined to three points; he asserted his disbelief that Mure carried any despatches from the *de facto* government at Richmond; he protested that "there was not one single paper in my bag which was not entirely and altogether on Her Majesty's service"; and he explained the alleged "passport" was not intended as such, but was merely "a certificate stating that Mr. Mure was charged by me with despatches," but he acknowledged that in the certificate's description of Mure as a "British merchant" a possible error had been committed, adding, however, that he had supposed anyone would understand, since the words "British subject" had not been used, that Mure was in reality a naturalized citizen of America.[2] This explanation was received by Russell on October 21. Lyons' comment on Bunch's explanation, made without knowledge of what would be Seward's final determination, was that if Bunch had any further excuses to make about the private letters carried by Mure he should drop two weak points in his argument. "I mean the

[1] *Ibid.* Lyons to Russell, Oct. 14, 1861.

[2] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on the Withdrawal of Bunch's Exequatur." No. 15. Inclosure. Bunch to Lyons, Sept. 30, 1861.

distinction between B. merchant and B.S., and the distinction between a document requesting that the bearer '*may be permitted to pass freely and receive all proper protection and assistance*' and a passport."[1] Russell, on receipt of Bunch's explanation was also dissatisfied, first because Bunch had violated Lyons' instructions against entrusting despatches to persons carrying private correspondence, and second, because Bunch "gives no distinct denial" to the newspaper stories that he had gossiped about his activities and had stated them to be "a first step toward recognition." These criticisms were directed entirely to Bunch's conduct subsequent to the overture to the South; on the propriety of that act Russell supported Bunch with vigour.[3] October 26, Seward read to Lyons the instruction to Adams on the revocation of Bunch's exequatur. The ground taken for this, reported Lyons, was an evasion of that charge of communicating with the South for which Russell had avowed responsibility, and a turning to the charge that Bunch was personally unacceptable longer to the United States because of his partisanship to the South, as evidenced by various acts and especially as shown by his reported assertion that Great Britain had taken "a first step to recognition." "Never," wrote Lyons, "were serious charges brought upon a slighter foundation." "No one who has read Mr. Bunch's despatches to your Lordship and to me can consider him as in the least degree a partisan of the Southern cause." "When Mr. Seward had finished reading the despatch I remained silent. After a

[1] Lyons Papers. Copy, Private and Confidential, Lyons to Bunch, Oct. 24, 1861. Bunch was informed in this letter that Mure had been set free.

[2] F. O., Am., Vol. 757. No. 381. Russell to Lyons. Draft. Oct. 26, 1861.

[3] The criticisms of Lyons and Russell were not printed in the *Parliamentary Papers*. Bunch did later deny specifically that he had told anyone of his activities. (*Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on the Withdrawal of Bunch's Exequatur." No. 22. Inclosure. Bunch to Lyons, Oct. 31, 1861.)

short pause I took leave of him courteously, and withdrew."[1]

As will have been noted, Lyons had foreseen the American decision against Bunch on purely personal grounds, had been relieved that this would be the issue, and had forewarned Russell. His despatch just cited may be regarded as a suggestion of the proper British refutation of charges, but with acceptance of the American decision. Nevertheless he wrote gloomily on the same day of future relations with the United States.[2] At the same time Russell, also foreseeing Seward's action, was not disturbed. He thought it still "not off the cards that the Southern Confederates may return to the Union. . . . Our conduct must be strictly neutral, and it will be."[3] Upon receipt of Lyons' despatch and letter of October 28 Russell wrote to Palmerston, "I do not attach much importance to this letter of Lyons. It is the business of Seward to feed the mob with sacrifices every day, and we happen to be the most grateful food he can offer."[4] For Russell saw clearly that Great Britain could not object to the removal of Bunch on the purely personal grounds alleged by Seward. There followed in

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on the Withdrawal of Bunch's Exequatur." No. 17. Lyons to Russell, Oct. 28, 1861. There are two interesting unindicated elisions in the printed text of this letter. Indicating them in brackets the sentences run : first :—

"It may seem superfluous to make any observations on the charges brought against Mr. Bunch. [For it is plain that a high-handed proceeding being deemed advisable with a view to gratify the American Public, Mr. Bunch has merely been selected as a safer object of attack than the British or French Government.] I can not help saying that never were more serious charges, etc.," and second :—

"When Mr. Seward had finished reading the despatch I remained silent. [I allowed the pain which the contents of it had caused me to be apparent in my countenance, but I said nothing. From my knowledge of Mr. Seward's character, I was sure that at the moment nothing which I could say would make so much impression upon him as my maintaining an absolute silence.] After a short pause, etc." (F. O., America, Vol. 773. No. 607. Lyons to Russell, Oct. 28, 1861).

[2] Russell Papers. Lyons to Russell, Oct. 28, 1861.

[3] Lyons Papers. Russell to Lyons, Nov. 2, 1861.

[4] Palmerston MS. Russell to Palmerston, Nov. 12, 1861. He added, "The dismissal of Bunch seems to me a singular mixture of the bully and coward."

due course the formal notification by Adams on November 21, just six days before he learned of the *Trent* affair, which had occurred on November 8. That alarming incident no doubt coloured the later communications of both parties, for while both Adams and Russell indulged in several lengthy argumentative papers, such as are dear to the hearts of lawyers and diplomats, the only point of possible further dispute was on the claim of Great Britain that future occasions might arise where, in defence of British interests, it would be absolutely necessary to communicate with the Confederacy. Adams acknowledged a British duty to protect its citizens, but reasserted the American right to dismiss any British agent who should act as Bunch had done. On December 9, Russell closed the matter by stating that he did " not perceive that any advantage would be obtained by the continuance of this correspondence."[1] Bunch was expected to leave Charleston as soon as a safe conveyance could be provided for him, but this was not immediately forthcoming. In fact he remained at Charleston until February, 1863, actively engaged, but official papers were signed by his vice-consul. In the excitement over the *Trent*, he seems rapidly to have disappeared from the official as he did from the public horizon.[2]

The Bunch controversy, seemingly of no great importance in so far as the alleged personal grounds of complaint are concerned, had its real significance in the effort of Great

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on the Withdrawal of Bunch's Exequatur." No. 26. Russell to Adams, Dec. 9, 1861.

[2] Bonham, *British Consuls in the Confederacy*, p. 45. Columbia University, *Studies in History, Economics and Public Law*, XI-III. No. 3. Bonham shows that Bunch was more pro-Southern than Lyons thought. Lyons had suggested that Bunch be permitted to remain privately at Charleston. (*Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence on the Withdrawal of Bunch's Exequatur." No. 29. Lyons to Russell, Dec. 31, 1861.) That Bunch was after all regarded by the United States as a scapegoat may be argued from the " curious circumstance that in 1875, Mr. Bunch, being then British Minister resident at Bogota, acted as arbitrator in a case between the United States and Colombia." (Moore, *Int. Law Digest*, V, p. 22.)

Britain to make contact with the Southern Government—an effort incautiously entered upon, and from which an attempt to withdraw had come too late. The result was British assertion of a right in case of necessity to make such contact, having recognized the South as a belligerent, but a discontinuance of the practice, under the American protest.[1] While this controversy was in progress the attention of the British Government was directed to a proposal urged by Mercier upon Lyons in Washington, which appeared to have the support of the French Government. On September 30, Mercier, so Lyons reported, had received a private letter from Thouvenel expressing great concern over the prospective scarcity of cotton from America, due to the blockade, and asking Mercier's advice. The latter now informed Lyons that his reply had outlined the following steps: first, complete harmony of action between England and France; second, recognition of Southern independence; third, refusal longer to recognize the blockade; fourth, England and France to be alert to seize the "favourable moment," when the North became disheartened, the present moment not being a good one.[2] This policy Mercier thought so "bold" that the North would be deterred from declaring war. The two diplomats held long argument over this suggestion. Lyons acknowledged the general pressure for cotton, but thought there was no need of great alarm as yet and also advanced the idea that in the end Europe would benefit by being forced to develop other sources of

[1] Bancroft, *Seward*, *II*, p. 203, says that if Great Britain ever attempted another negotiation "that British representatives were careful to preserve perfect secrecy." I have found no evidence of any similar communication with the South.

[2] As early as April, 1861, Stoeckl reported Mercier as urging Lyons and Stoeckl to secure from their respective Governments authority to recognize the South whenever they thought "the right time" had come. Lyons did not wish to have this responsibility, arguing that the mere fact of such a decision being left to him would embarrass him in his relations with the North. Stoeckl also opposed Mercier's idea, and added that Russia could well afford to wait until England and France had acted. Russia could then also recognize the South without offending the North. (Russian Archives. Stoeckl to F. O., April 2-14, 1861. No. 863.)

supply, thus being freed from such exclusive dependence on the United States. Mercier answered that France was in dire need and could not wait and he urged that mere recognition of the South would not secure cotton—it was necessary also to break the blockade. In comment to Russell, Lyons agreed that this was true, but thought the fact in itself an argument against accepting Mercier's ideas: "The time is far distant when the intervention of England and France in the quarrel would be welcomed, or, unless under compulsion, tolerated by the American peoples." The South had not yet "gone far enough in establishing its independence to render a recognition of it either proper or desirable for European powers," and he stated with emphasis that recognition would *not* end the war unless there was also an *alliance* with the South.[1]

In the British Cabinet also, at this same time, attention was being directed to the question of cotton, not, primarily, by any push from the British manufacturing interest, but because of queries addressed to it by the French Minister in London. Russell wrote to Palmerston, referring to the inquiry of Flahault, "I agree with you that the cotton question may become serious at the end of the year," but he added that Lindsay had informed him that in any case cotton could not be brought in the winter-time from the interior to the Southern ports.[2] In truth any serious thought given at this time to the question of cotton appears to be the result of the French arguments at London and Washington advocating a vigorous American policy. October 19, Lyons and Mercier renewed debate on exactly the same lines as previously, Mercier this time reading to Lyons an instruction from Thouvenel and his reply. Lyons insisted

[1] Russell Papers. Lyons to Russell, Oct. 4, 1861.

[2] Palmerston MS. Russell to Palmerston, Oct. 8, 1861. On Oct. 7, Lyons wrote to Head, "If we can get through the winter and spring without American cotton, and keep the peace, we shall attain a great object." (Lyons Papers.)

that the North would most certainly declare war on any power that recognized the South and asserted that such a war would cause more suffering many times than all the suffering now caused by the shortage of cotton. Yet Lyons felt compelled to use caution and conciliation in dealing with Mercier, because of the desire to preserve close harmony of attitude.[1] A few days later Lyons' comments seemed wholly justified when Mercier reported to him the tone of a conversation with Seward, after having left with him a copy of Thouvenel's instruction. Seward said plainly that the United States would go to war with any foreign power that tried to interfere and that the only way in which France could get cotton was by a Northern conquest of the South. He acknowledged that the United States might be defeated, but he informed Mercier that France would at least know there had been a war. On his part Mercier told Seward that in his opinion there was but one possible outcome in America—separation—and that he had advised Thouvenel that the true policy of England and France was to recognize the South and "bring about a peaceful separation." Lyons' comment to Russell is that Seward had certainly taken a "high" tone—evident justification of Lyons' previously expressed opinion. Seward had been very eager to learn whether England knew of Thouvenel's instruction, to which Mercier replied "no," and was now anxious that Russell should not reveal to Adams that Lyons had known the contents before delivery to Seward—a caution with which Lyons was very content.[2]

Lyons' first report of Mercier's ideas had been received in London at a rather critical moment. On October 17, just after Adams' complaint about Bunch and Russell's answer, while waiting to see whether Seward would magnify

[1] F. O., America, 772. No. 585. Lyons to Russell, Oct. 21, 1861.
[2] *Ibid.*, Vol. 773. No. 606. Lyons to Russell. Confidential. Oct. 28, 1861.

that incident into a cause of rupture, and four days before Bunch's "unsatisfactory explanation" had been received, Russell wrote to Palmerston:

> "There is much good sense in Mercier's observations. But we must wait. I am persuaded that if we do anything, it must be on a grand scale. It will not do for England and France to break a blockade for the sake of getting cotton. But, in Europe, powers have often said to belligerents, Make up your quarrels. We propose to give terms of pacification which we think fair and equitable. If you accept them, well and good. But, if your adversary accepts them and you refuse them, our mediation is at an end, and you may expect to see us your enemies. France would be quite ready to hold this language with us.
>
> "If such a policy were to be adopted the time for it would be the end of the year, or immediately before the meeting of Parliament."[1]

Apparently Russell under the irritations of the moment was somewhat carried away by Mercier's suggestion. That it was but a briefly held thought has been shown by expressions from him already cited.[2] Nor was he alone in ministerial uncertainty,[3] but Palmerston was not inclined to alter British policy. October 18, he replied to Russell:

> "As to North America, our best and true policy seems to be to go on as we have begun, and to keep quite clear of the conflict between North and South. . . . The only excuse [for intervention] would be the danger to the intervening parties if the conflict went on; but in the American case this can not be pleaded by the Powers of Europe.
>
> "I quite agree with you that the want of cotton would not justify such a proceeding, unless, indeed, the distress

[1] Walpole, *Russell*, II, 344.

[2] See *ante*, p. 194.

[3] "The Americans certainly seem inclined to pick a quarrel with us; but I doubt their going far enough even to oblige us to recognize the Southern States. A step further would enable us to open the Southern ports, but a war would nevertheless be a great calamity." (Maxwell, *Clarendon*, II, 245. Granville to Clarendon. No exact date is given but the context shows it to have been in October, 1861.)

created by that want was far more serious than it is likely to be. The probability is that some cotton will find its way to us from America, and that we shall get a greater supply than usual from other quarters.

"The only thing to do seems to be to lie on our oars and to give no pretext to the Washingtonians to quarrel with us, while, on the other hand, we maintain our rights and those of our fellow countrymen."[1]

In Washington the result of Mercier's conversation with Seward, outlining Thouvenel's suggestions, was a long and carefully prepared despatch to Dayton, in Paris, which the biographer of Seward thinks was one of his "great despatches; perhaps it was his greatest, if we consider his perfect balance and the diplomatic way in which he seemed to ignore what was menacing, while he adroitly let Thouvenel see what the result would be if the implied threats should be carried out."[2] Seward argued with skill the entire matter of cotton, but he was none the less firm in diplomatic defiance of foreign intervention. Since Great Britain had taken no part in the French scheme—a point which Seward was careful to make clear to Dayton—the despatch needs no expanded treatment here. Its significance is that when reported to Lyons by Mercier (for Seward had read it to the latter) the British Minister could pride himself on having already pointed out to both Mercier and Russell that Seward's line was exactly that which he had prophesied. Mercier again was very anxious that his confidences to Lyons should not become known, and Lyons was glad indeed to be wholly free from any share in the discussion.[3]

[1] Ashley, *Palmerston*, II, 218-19. On October 30, Russell wrote to Gladstone expressing himself as worried about cotton but stating that the North was about to try to take New Orleans and thus release cotton. (Gladstone Papers).

[2] Bancroft, *Seward*, II, p. 219. Bancroft cites also a letter from Seward to his wife showing that he appreciated thoroughly the probability of a foreign war if France should press on in the line taken.

[3] F. O., America, Vol. 773. No. 623. Confidential. Lyons to Russell, Nov. 4, 1861.

Two days after thus describing events, Lyons, on November 6, had still another communication, and apparently a last on this topic, with Mercier, in which the two men again went over the whole ground of national policy toward America, and in which their divergent views became very apparent. The arguments were the same, but expressed with more vigour. Mercier seems, indeed, to have attempted to "rush" Lyons into acquiescence in his policy. Lyons finally observed to him that he "had no reason to suppose that Her Majesty's Government considered the time was come for entertaining at all the question of recognizing the South" and asked what good such a step would do anyway. Mercier replied that he did not believe that the North would declare war, and so it would be a step toward settlement. To this Lyons took positive exception.[1] Lyons' report of this conversation was written on November 8, a date which was soon to stand out as that on which occurred an event more immediately threatening to British-American relations than any other during the Civil War.

The battle of Bull Run had left on British minds an impression of Northern incapacity in war—even a doubt of Northern courage and determination. On August 19 the Declaration of Paris negotiation, a favourable result from which was eagerly desired by Russell, had failed, as he well knew when he attached to the convention that explanatory statement limiting its action in point of time. In the end Russell felt that Britain had just escaped a "trap." Two weeks after this Russell learned of the arrest of Mure, and soon of the demand for Bunch's recall, finally and formally made by Adams on November 21. Just six days later, on November 27, London heard of the *Trent* affair of November 8. It is small wonder that Russell

[1] *Ibid.* No. 634. Confidential. Lyons to Russell, Nov. 8, 1861. In truth Lyons felt something of that suspicion of France indicated by Cowley, and for both men these suspicions date from the moment when France seemed lukewarm in support of England in the matter of Bunch.

and his colleagues felt an increasing uncertainty as to the intent of the United States, and also an increasing irritation at having to guard their steps with such care in a situation where they sincerely believed the only possible outcome was the dissolution of the American Union. But up to the moment when the news of the *Trent* affair was received they had pursued a policy, so they believed, of strict and upright neutrality, and were fixed in the determination not to permit minor controversies or economic advantage to divert them from it.

CHAPTER VII

THE "TRENT"

THE *Trent* affair seemed to Great Britain like the climax of American arrogance.[1] The Confederate agents sent to Europe at the outbreak of the Civil War had accomplished little, and after seven months of waiting for a more favourable turn in foreign relations, President Davis determined to replace them by two "Special Commissioners of the Confederate States of America." These were James M. Mason of Virginia, for Great Britain, and John Slidell of Louisiana, for France. Their appointment indicated that the South had at last awakened to the need of a serious foreign policy. It was publicly and widely commented on by the Southern press, thereby arousing an excited apprehension in the North, almost as if the mere sending of two new men with instructions to secure recognition abroad were tantamount to the actual accomplishment of their object.

[1] The *Trent* was the cause of the outpouring of more contemporary articles and pamphlets and has been the subject of more historical writing later, than any other incident of diplomatic relations between the United States and Great Britain during the Civil War—possibly more than all other incidents combined. The account given in this chapter, therefore, is mainly limited to a brief statement of the facts together with such new sidelights as are brought out by hitherto unknown letters of British statesman; to a summary of British public attitude as shown in the press; and to an estimate of the *after effect* of the *Trent* on British policy. It would be of no service to list all of the writings. The incident is thoroughly discussed in all histories, whether British or American and in works devoted to international law. The contemporary American view is well stated, though from a strongly anti-British point of view, in Harris, T. L., *The Trent Affair*, but this monograph is lacking in exact reference for its many citations and can not be accepted as authoritative. The latest review is that of C. F. Adams in the *Proceedings* of the Massachusetts Historical Society for November, 1911, which called out a reply from R. H. Dana, and a rejoinder by Mr. Adams in the *Proceedings* for March, 1912.

Mason and Slidell succeeded in running the blockade at Charleston on the night of October 12, 1861, on the Confederate steamer *Theodora*,[1] and arrived at New Providence, Nassau, on the fourteenth, thence proceeded by the same vessel to Cardenas, Cuba, and from that point journeyed overland to Havana, arriving October 22. In the party there were, besides the two envoys, their secretaries, McFarland and Eustis, and the family of Slidell. On November 7 they sailed for the Danish island of St. Thomas, expecting thence to take a British steamer for Southampton. The vessel on which they left Havana was the British contract mail-packet *Trent*, whose captain had full knowledge of the diplomatic character of his passengers. About noon on November 8 the *Trent* was stopped in the Bahama Channel by the United States sloop of war, *San Jacinto*, Captain Wilkes commanding, by a shot across the bows, and a boarding party took from the *Trent* Mason and Slidell with their secretaries, transferred them to the *San Jacinto*, and proceeded to an American port. Protest was made both by the captain of the *Trent* and by Commander Williams, R.N., admiralty agent in charge of mails on board the ship.[2] The two envoys also declared that they would yield only to personal compulsion, whereupon hands were laid upon shoulders and coat collars, and, accepting this as the application of *force*, they were transferred to the *San Jacinto's* boats. The scene on the *Trent*, as described by all parties, both then and later, partakes of the nature of comic opera, yet was serious enough to the participants. In fact, the envoys, especially Slidell, were exultant in the conviction that the action of Wilkes would inevitably result in the early realization of the object of their

[1] C. F. Adams, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, pp. 41-2.)

[2] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting the *Trent*." No. 1. Inclosure. Williams to Patey, Nov. 9, 1861.

journey—recognition of the South, at least by Great Britain.[1] Once on board the *San Jacinto* they were treated more like guests on a private yacht, having "seats at the captain's table," than as enemy prisoners on an American war-ship.

Captain Wilkes had acted without orders, and, indeed, even without any recent official information from Washington. He was returning from a cruise off the African coast, and had reached St. Thomas on October 10. A few days later, when off the south coat of Cuba, he had learned of the Confederate appointment of Mason and Slidell, and on the twenty-eighth, in Havana harbour, he heard that the Commissioners were to sail on the *Trent*. At once he conceived the idea of intercepting the *Trent*, exercising the right of search, and seizing the envoys, in spite of the alleged objections of his executive officer, Lieutenant Fairfax. The result was that quite without authority from the United States Navy Department, and solely upon his own responsibility, a challenge was addressed to Britain, the "mistress of the seas," certain to be accepted by that nation as an insult to national prestige and national pride not quietly to be suffered.

The *San Jacinto* reached Fortress Monroe on the evening of November 15. The next day the news was known, but since it was Saturday, few papers contained more than brief and inaccurate accounts and, there being then few Sunday papers, it was not until Monday, the eighteenth, that there broke out a widespread rejoicing and glorification in the Northern press.[2] America, for a few days, passed through a spasm of exultation hard to understand, even by those who felt it, once the first emotion had subsided. This had various causes, but among them is evident a quite

[1] Harris, *The Trent Affair*, pp. 103-109, describes the exact *force* used.

[2] Dana, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, pp. 509-22.)

childish fear of the acuteness and abilities of Mason and Slidell. Both men were indeed persons of distinction in the politics of the previous decades. Mason had always been open in his expressed antipathy to the North, especially to New England, had long been a leader in Virginia, and at the time of the Southern secession, was a United States Senator from that State. Slidell, a Northerner by birth, but early removed to Louisiana, had acquired fortune in business there, and had for nearly twenty years been the political "boss" of one faction of the Democratic Party in New Orleans and in the State. With much previous experience in diplomacy, especially that requiring intrigue and indirect methods (as in the preliminaries of the Mexican War), and having held his seat in the United States Senate until the withdrawal of Louisiana from the Union, he was, of the two men, more feared and more detested, but both were thoroughly obnoxious to the North. Merely on the personal side their capture was cause for wide rejoicing.[1]

Surprise was also an element in the American elation, for until the news of the capture was received no portion of the public had given serious thought to any attempt to stop the envoys. Surprise also played its part when the affair became known in England, though in official circles there had been some warning. It had already been reported in the British press that Mason and Slidell had run the blockade at Charleston, were in Cuba, and were about to set sail for England on the Confederate steamer *Nashville*, but the British Government, considering that the envoys might perhaps sail rather on the West India Mail Steamer for Southampton, became much concerned over a possible American interference with that vessel. On November 9 Hammond sent an urgent enquiry to the Advocate-General stating the situation, calling attention to the presence at

[1] C. F. Adams, *The Trent Affair*. (*Proceedings*, Mass Hist. Soc., XLV, pp. 39-40.)

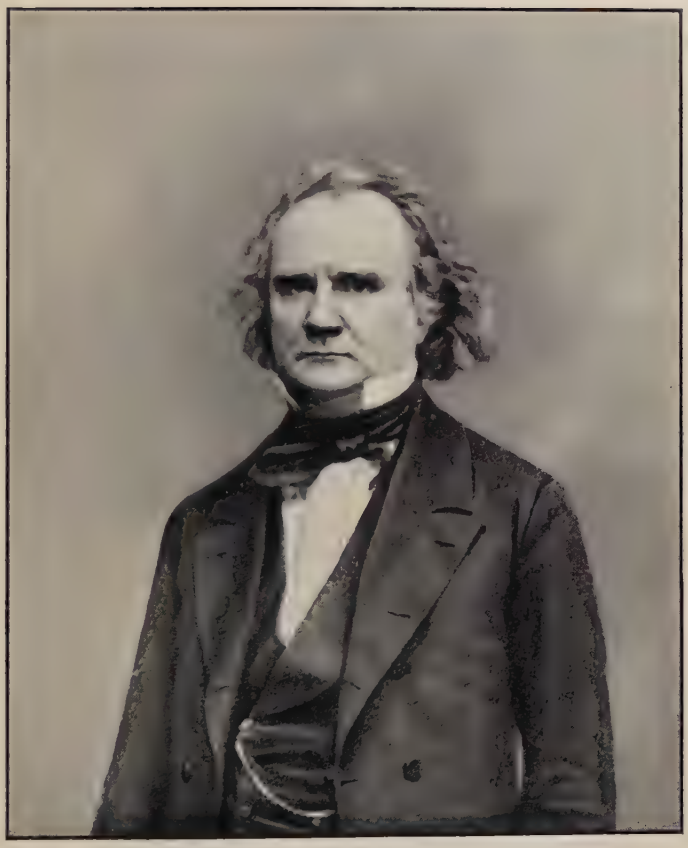

Photo: Handy, Washington

JAMES M. MASON

Southampton of an American war-vessel, and asking whether this vessel, or any other American man-of-war, "would be entitled to interfere with the mail steamer if fallen in with beyond the territorial limits of the United Kingdom, that is beyond three miles from the British Coast."

> "Whether for instance she might cause the West India Mail Steamer to bring to, might board her, examine her Papers, open the Mail Bags and examine the contents thereof, examine the luggage of passengers, seize and carry away Messrs. Mason and Slidell in person, or seize their Credentials and Instructions and Despatches, or even put a Prize Crew on board the West India Steamer and carry her off to a Port of the United States; in other words what would be the right of the American Cruiser with regard to her passengers and crew and lawful papers and correspondence on board our packet on the assumption that the said packet was liable to capture and confiscation on the ground of carrying enemies' despatches; would the Cruiser be entitled to carry the packet and all and everything in her back to America or would she be obliged to land in this Country or in some near port all the people and all the unseizable goods?" [1]

Hammond further stated that Russell was anxious to have an immediate reply, inasmuch as the mail packet was due to arrive in Southampton on November 12. The opinion of the law officer consulted is best given in Palmerston's own words in a letter to Delane, Editor of the *Times*:

> "94 *Piccadilly*,
> *November* 11, 1861.
>
> "My dear Delane,
>
> "It may be useful to you to know that the Chancellor, Dr. Lushington, the three Law Officers, Sir G. Grey, the Duke of Somerset, and myself, met at the Treasury to-day to consider what we could properly do about the American cruiser come, no doubt, to search the West Indian packet

[1] F.O., America, Vol. 805. Copy, E. Hammond to Advocate-General, Nov. 9, 1861.

supposed to be bringing hither the two Southern envoys; and, much to my regret, it appeared that, according to the principles of international law laid down in our courts by Lord Stowell, and practised and enforced by us, a belligerent has a right to stop and search any neutral not being a ship of war, and being found on the high seas and being suspected of carrying enemy's despatches; and that consequently this American cruiser might, by our own principles of international law, stop the West Indian packet, search her, and if the Southern men and their despatches and credentials were found on board, either take them out, or seize the packet and carry her back to New York for trial. Such being the opinion of our men learned in the law, we have determined to do no more than to order the *Phaeton* frigate to drop down to Yarmouth Roads and watch the proceedings of the American within our three-mile limit of territorial jurisdiction, and to prevent her from exercising within that limit those rights which we cannot dispute as belonging to her beyond that limit.

"In the meanwhile the American captain, having got very drunk this morning at Southampton with some excellent brandy, and finding it blow heavily at sea, has come to an anchor for the night within Calshot Castle, at the entrance of the Southampton river.

"I mention these things for your private information.

Yours sincerely,

PALMERSTON." [1]

Not completely satisfied with this decision as reported to Delane, and sincerely anxious to avert what he foresaw would be a difficult situation, Palmerston took the unusual step of writing to Adams on the next day, November 12, and asking for an interview. His note took Adams by surprise, but he promptly waited upon Palmerston, and was told of the latter's disturbance at the presence of the American ship *James Adger*, Captain Marchand commanding, in Southampton Harbour, with the alleged purpose of stopping the British West India steamer and intercepting

[1] C. F. Adams, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, p. 54.)

the journey of Mason and Slidell. Palmerston stated that he "did not pretend to judge absolutely of the question whether we had a right to stop a foreign vessel for such a purpose as was indicated," and he urged on Adams the unwisdom of such an act in any case. "Neither did the object to be gained seem commensurate with the risk. For it was surely of no consequence whether one or two more men were added to the two or three who had already been so long here. They would scarcely make a difference in the action of the Government after once having made up its mind."[1]

The interview with Adams, so Palmerston wrote to Delane on the same day, November 12, was reassuring:

> "My Dear Delane,
>
> "I have seen Adams to-day, and he assures me that the American paddle-wheel was sent to intercept the *Nashville* if found in these seas, but not to meddle with any ship under a foreign flag. He said he had seen the commander, and had advised him to go straight home; and he believed the steamer to be now on her way back to the United States. This is a very satisfactory explanation.
>
> Yours sincerely,
>
> Palmerston."[2]

In fact, neither Adams' diary nor his report to Seward recorded quite the same statement as that here attributed to him by Palmerston, and this became later, but fortunately after the question of the *Trent* had passed off the stage, a matter of minor dispute. Adams' own statement was that he had told Palmerston the *James Adger* was seeking to intercept the *Nashville* and "had no instruction" to interfere with a British Packet—which is not the same as saying that she already had instructions "not to meddle with any ship

[1] *Ibid.*, pp. 53-4. Adams' Diary MS. Nov. 12, 1861.
[2] *Ibid.*, p. 55.

under a foreign flag."[1] But in any case, it would appear that the British Government had been warned by its legal advisers that if that which actually happened in the case of the *Trent* should occur, English practice, if followed, would compel acquiescence in it.[2] This is not to say that a first legal advice thus given on a problematical case necessarily bound the Government to a fixed line of action, but that the opinion of the Government was one of "no help for it" if the case should actually arise is shown by the instructions to Lyons and by his reaction. On November 16, Hammond wrote to Lyons stating the opinion of the Law Officers that "we could do nothing to save the Packet being interfered with outside our three miles; so Lord Palmerston sent for Adams, who assured him that the American [the *James Adger*] had no instructions to meddle with any ship under English colours . . . that her orders were not to endeavour to take Mason and Slidell out of any ship under

[1] A full year later, after the publication of the American volume of despatches for the year 1862, Russell took up this matter with Adams and as a result of an interview wrote to Lyons, November 28, 1862:

"Lord Palmerston stated to Mr. Adams on the occasion in question that Her Majesty's Government could not permit any interference with any vessel, British or Foreign, within British waters; that with regard to vessels met with at sea, Her Majesty's Government did not mean to dispute the Belligerent right of the United States Ships of War to search them; but that the exercise of that right and the right of detention in certain conditions must in each case be dealt with according to the circumstances of the case, and that it was not necessary for him to discuss such matters then because they were not in point; but that it would not do for the United States Ships of War to harass British Commerce on the High Seas under the pretence of preventing the Confederates from receiving things that are Contraband of War.

"I took an opportunity of mentioning to Mr. Adams, the account which Lord Palmerston had given me of the language which he had thus held, and Mr. Adams agreed in its accuracy.

"Nothing must be said on this subject unless the false statements as to Lord Palmerston's language should be renewed, when you will state the real facts to Mr. Seward." (F. O., Am., Vol. 822. No. 295. *Draft.*)

This résumé by Russell contained still other variations from the original reports of both Palmerston and Adams, but the latter did not think it worth while to call attention to them.

[2] Walpole, *Russell*, II, p. 357, is evidently in error in stating that the law officers, while admitting the right of an American war vessel to carry the British Packet into an American port for adjudication, added, "she would have no right to remove Messrs. Mason and Slidell and carry them off as prisoners, leaving the ship to pursue her voyage." Certainly Palmerston did not so understand the advice given.

foreign colours."[1] On receipt of this letter subsequent to the actual seizure of the envoys, Lyons hardly knew what to expect. He reported Hammond's account to Admiral Milne, writing that the legal opinion was that "Nothing could be done to save the Packet's being interfered with outside of the Marine league from the British Coast"; but he added, "I am not informed that the Law Officers decided that Mason and Slidell might be taken out of the Packet, but only that we could not prevent the Packet's being interfered with," thus previsioning that shift in British legal opinion which was to come *after* the event. Meanwhile Lyons was so uncertain as to what his instructions would be that he thought he "ought to maintain the greatest reserve here on the matter of the *Trent*."[2]

This British anxiety and the efforts to prevent a dangerous complication occurred after the envoys had been seized but some two weeks before that fact was known in London. "Adams," wrote Russell, "says it was all a false alarm, and wonders at our susceptibility and exaggerated notions."[3] But Russell was not equally convinced with Adams that the North, especially Seward, was so eager

[1] Lyons Papers. Hammond to Lyons. F. O., Private. Nov. 16, 1861. This statement about explicit orders to Captain Marchand "not to endeavour, etc.," is in line with Palmerston's understanding of the conversation with Adams. But that there was carelessness in reporting Adams is evident from Hammond's own language for "no instructions to meddle," which Adams did state, is not the same thing as "instructions not to meddle." Adams had no intent to deceive, but was misunderstood. He was himself very anxious over the presence of the *James Adger* at Southampton, and hurried her Captain away. Adams informed Russell that Palmerston had not understood him correctly. He had told Palmerston, "I had seen the Captain's [Marchand's] instructions, which directed him to intercept the *Nashville* if he could, and in case of inability to do so, to return at once to New York, keeping his eye on such British ships as might be going to the United States with contraband of war. Lord Palmerston's recollections and mine differed mainly in this last particular. Lord Russell then remarked that this statement was exactly that which he had recollected my making to him. Nothing had been said in the instructions about other British ships." (State Dept., Eng., Vol. 78. No. 80. Adams to Seward. Nov. 29, 1861.) Hammond's letter mentions also the excitement of "the Southerners" in England and that they had "sent out Pilot Boats to intercept and warn the Packet. . . ."

[2] Lyons Papers. Lyons to Milne, Dec. 1, 1861.

[3] *Ibid.* Russell to Lyons, Nov. 16, 1861.

for continued British neutrality, and when, on November 27, the news of Captain Wilkes' action was received, Russell and many others in the Cabinet saw in it a continuation of unfriendly Northern policy now culminating in a direct affront. Argyll, the most avowed friend of the North in the Cabinet, was stirred at first to keen resentment, writing "of this wretched piece of American folly. . . . I am all against submitting to any clean breach of International Law, such as I can hardly doubt this has been."[1] The Law Officers now held that "Captain Wilkes had undertaken to pass upon the issue of a violation of neutrality on the spot, instead of sending the *Trent* as a prize into port for judicial adjudication."[2] This was still later further expanded by an opinion that the envoys could not be considered as contraband, and thus subject to capture nor the *Trent* as having violated neutrality, since the destination of the vessel was to a neutral, not to an enemy port.[3] This opinion would have prohibited even the carrying of the *Trent* into an American port for trial by a prize court.

But the British Government did not argue the matter in its demand upon the United States. The case was one for a quick demand of prompt reparation. Russell's instruction to Lyons, sent on November 30, was couched in coldly correct language, showing neither a friendly nor an unfriendly attitude. The seizure of the envoys was asserted to be a breach of international law, which, it was hoped, had occurred without orders, and Lyons was to demand the restoration of the prisoners with an apology. If Seward had not already offered these terms Lyons was to propose them, but as a preliminary step in making clear the British position, he might read the instruction to Seward, leaving

[1] Gladstone Papers. Argyll to Gladstone, Nov. 29, 1861.

[2] C. F. Adams, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, p. 58.)

[3] Moore, *Int. Law Digest*, VII, p. 772. The much argued international law points in the case of the *Trent* are given *in extenso* by Moore.

him a copy of it if desired.[1] In another instruction of the same date Russell authorized a delay of seven days in insisting upon an answer by Seward, if the latter wished it, and gave Lyons liberty to determine whether "the requirements of Her Majesty's Government are substantially complied with."[2] And on December 1, Russell writing privately to Lyons instructed him, while upholding English dignity, to abstain from anything like menace.[3] On November 30, also, the Government hurriedly sent out orders to hold the British Fleet in readiness, began preparations for the sending of troops to Canada, and initiated munitions and supply activities. Evidently there was at first but faint hope that a break in relations, soon to be followed by war, was to be avoided.[4]

It has long been known to history, and was known to Adams almost immediately, that the first draft of the instruction to Lyons was softened in language by the advice of Prince Albert, the material point being the expression of a hope that the action of Captain Wilkes was unauthorized.[5] That instruction had been sent previous to

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting the *Trent*." No. 2.

[2] *Ibid.* No. 4.

[3] *Ibid.* No. 29. Inclosure.

[4] Troops were in fact shipped for Canada. This resulted, after the *Trent* affair had blown over, in a circumstance which permitted Seward, with keen delight, to extend a courtesy to Great Britain. Bancroft (II, 245) states that these troops "finding the St. Lawrence river full of ice, had entered Portland harbour. When permission was asked for them to cross Maine, Seward promptly ordered that all facilities should be granted for 'landing and transporting to Canada or elsewhere troops, stores, and munitions of war of every kind without exception or reservation.'" It is true that the American press made much of this, and in tones of derision. The facts, as reported by Lyons, were that the request was merely "a superfluous application from a private firm at Montreal for permission to land some Officers' Baggage at Portland." (Russell Papers, Lyons to Russell, Jan. 20, 1862.) Lyons was much vexed with this "trick" of Seward's. He wrote to the Governor-General of Canada and the Lieutenant-Governors of Nova Scotia and New Brunswick, protesting against an acceptance of Seward's permission, and finally informed Russell that no English troops were marched across the State of Maine. (Russell Papers. Lyons to Russell, Feb. 14, 1862. Also Lyons Papers. Lyons to Monck, Feb. 1, 1862.)

[5] Martin, *Life of the Prince Consort*, V, pp. 418-26.

the receipt of a report from Lyons in which, very fearful of results, he stated that, waiting instructions, he would preserve a strict silence.[1] Equally anxious was Cowley at Paris, who feared the realization of Seward's former "foreign war panacea." "I wish I could divest myself of the idea that the North and South will not shake hands over a war with us."[2] Considering the bitterness of the quarrel in America this was a far-fetched notion. The efforts promptly made by the Confederate agents in London to make use of the *Trent* affair showed how little Cowley understood the American temper. Having remained very quiet since August when Russell had informed them that Great Britain intended remaining strictly neutral,[3] they now, on November 27 and 30, renewed their argument and application for recognition, but received in reply a curt letter declining any official communication with them "in the present state of affairs."[4]

The delay of at least three weeks imposed by methods of transportation before even the first American reaction to

[1] Still another letter from Russell to Lyons on November 30, but not intended for Seward, outlined the points of complaint and argument. (1) The *San Jacinto* did not happen to fall in with the *Trent*, but laid in wait for her. (2) "Unnecessary and dangerous Acts of violence" were used. (3) The *Trent*, when stopped was not "searched" in the "ordinary way," but "certain Passengers" were demanded and taken by force. (4) No charge was made that the *Trent* was violating neutrality, and no authority for his act was offered by Captain Wilkes. (5) No force ought to be used against an "*unresisting* Neutral Ship" except just so much as is necessary to bring her before a prize court. (6) In the present case the British vessel had done nothing, and intended nothing, warranting even an inquiry by a prize court. (7) "It is essential for British Interests, that consistently with the obligations of neutrality, and of observing any *legal* and *effective* blockade, there should be communication between the Dominions of Her Majesty and the Countries forming the Confederate States." These seven points were for Lyons' eye alone. They certainly add no strength to the British position and reflect the uncertainty and confusion of the Cabinet. The fifth and sixth points contain the essence of what, on more mature reflection, was to be the British argument. (F. O., Am., Vol. 758. No. 447. Draft. Russell to Lyons, Nov. 30, 1861).

[2] Russell Papers. Cowley to Russell, Dec. 2, 1861.

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 78. Russell to Yancey, Rost and Mann, Aug. 24, 1861.

[4] *Ibid.* No. 124. Russell to Yancey, Rost and Mann, Dec. 7, 1861.

the British demand could be received in London gave time for a lessening of excitement and a more careful self-analysis by British statesmen as to what they really felt and desired. Gladstone wrote : " It is a very sad and heart-sickening business, and I sincerely trust with you that war may be averted."[1] Argyll hurried home from the Continent, being much disturbed by the tone of the British press, and stating that he was against standing on technical grounds of international law. " War with America is such a calamity that we must do all we can to avoid it. It involves not only ourselves, but all our North American colonies."[2] But war seemed to both men scarcely avoidable, an opinion held also by Cornewall Lewis[3] and by Clarendon, the latter standing at the moment in a position midway between the Whig and Tory parties.[4] Yet Russell, with more cause than others to mistrust Seward's policy, as also believing that he had more cause, personally, to resent it, was less pessimistic and was already thinking of at least post-poning immediate hostilities in the event of an American refusal to make just recompense. On December 16 he wrote to Palmerston : " I incline more and more to the opinion that if the answer is a reasoning, and not a blunt offensive answer, we should send once more across the Atlantic to ask compliance. . . . I do not think the country would approve an immediate declaration of war. But I think we must abide by our demand of a restoration of the prisoners. . . . Lyons gives a sad account of Canada. Your foresight of last year is amply justified."[5] And on December 20 he wrote, " Adams' language yesterday was entirely in favour of yielding to us, if our tone is not too peremptory. . . . If our demands are refused, we must, of course, call Parliament

[1] Gladstone Papers. Gladstone to Robertson Gladstone, Dec. 7, 1861.
[2] *Ibid.* Argyll to Gladstone, Mentone, Dec. 10, 1861.
[3] Maxwell, *Clarendon*, II, p. 255. Lewis to Clarendon, Dec. 18, 1861.
[4] *Ibid.*, p. 254. Clarendon to Duchess of Manchester, Dec. 17, 1861.
[5] Palmerston MS.

together. The sixth of February will do. In any other case we must decide according to circumstances."[1]

Thus Russell would not have Great Britain go to war with America without the sanction of Parliament, and was seeking reasons for delay. He was reacting, in fact, to a more sobering second thought which was experienced also by nearly everyone, save the eager British "Southerner," in public and in newspaper circles. The first explosion of the Press, on receipt of the news of the *Trent*, had been a terrific one. The British lion, insulted in its chosen field of supremacy, the sea, had pawed the air in frenzy though at first preserving a certain slow dignity of motion. Customary "strong leader-writing" became vigorous, indeed, in editorial treatment of America and in demand for the prompt release of the envoys with suitable apology. The close touch of leading papers with Governmental opinion is well shown, as in the *Times*, by the day-to-day editorials of the first week. On November 28 there was solemn and anxious consideration of a grave crisis with much questioning of international law, which was acknowledged to be doubtful. But even if old British practice seemed to support Captain Wilkes, the present was not to be controlled by a discarded past, and "essential differences" were pointed out. This tone of vexed uncertainty changed to a note of positive assurance and militant patriotism on November 30 when the Government made its demand. The *Times* up to December 2, thought it absolutely certain that Wilkes had acted on authorization, and devoted much space to Seward as the evil genius of American warlike policy toward England. The old "Duke of Newcastle story" was revamped. But on December 2 there reached London the first, very brief, American news of the arrival of the *San Jacinto* at Fortress Monroe, and this contained a positive statement by Wilkes that he had had no orders. The

[1] *Ibid.*, Russell to Palmerston, Dec. 20, 1861.

Times was sceptical, but printed the news as having an important bearing, if true, and, at the same time, printed communications by "Justicia" and others advising a "go slowly" policy.[1] Yet all British papers indulged in sharp reflections on American insults, displayed keen resentment, and demanded a prompt yielding to the Governmental demand.

An intelligent American long resident in London, wrote to Seward on November 29: "There never was within memory such a burst of feeling as has been created by the news of the boarding of [the Trent]. The people are frantic with rage, and were the country polled, I fear 999 men out of a thousand would declare for immediate war. Lord Palmerston cannot resist the impulse if he would." And another American, in Edinburgh, wrote to his uncle in New York: "I have never seen so intense a feeling of indignation exhibited in my life. It pervades all classes, and may make itself heard above the wiser theories of the Cabinet officers."[2] If such were the British temper, it would require skilful handling by even a pacific-minded Government to avoid war. Even without belligerent newspaper utterances the tone of arrogance as in *Punch's* cartoon, "You do what's right, my son, or I'll blow you out of the

[1] Many citations from the *Times* are given in Harris, *The Trent Affair*, to show a violent, not to say scurrilous, anti-Americanism. Unfortunately dates are not cited, and an examination of the files of the paper shows that Harris' references are frequently to communications, not to editorials. Also his citations give but one side of these communications even, for as many argued caution and fair treatment as expressed violence. Harris apparently did not consult the *Times* itself, but used quotations appearing in American papers. Naturally these would print, in the height of American anti-British feeling, the bits exhibiting a peevish and unjust British temper. The British press made exactly similar quotations from the American newspapers.

[2] C. F. Adams, *The Trent Affair* (*Proceedings*, Mass. Hist. Soc. XLV, p. 43, note.) John Bigelow, at Paris, reported that the London Press, especially the Tory, was eager to make trouble, and that there were but two British papers of importance that did not join the hue and cry—these being controlled by friends of Bright, one in London and one in Manchester (Bigelow, *Retrospections of An Active Life*, I, p. 384.) This is not exactly true, but seems to me more nearly so than the picture presented by Rhodes (III, 526) of England as united in a "calm, sorrowful, astonished determination."

water," portended no happy solution. Yet this cartoon at least implied a hope of peaceful outcome, and that this was soon a general hope is shown by the prompt publicity given to a statement from the American General, Winfield Scott, in Paris, denying that he had said the action of Captain Wilkes had been decided upon at Washington before he sailed for Europe, and asserting that no orders were given to seize the envoys on board any British or foreign vessel.[1] Nevertheless, Adams, for the moment intensely aroused, and suspicious of the whole purpose of British policy, could write to his friend Dana in Boston: "The expression of the past summer might have convinced you that she [Great Britain] was not indifferent to the disruption of the Union. In May she drove in the tip of the wedge, and now you can't imagine that a few spiders' webs of a half a century back will not be strong enough to hold her from driving it home. Little do you understand of this fast-anchored isle."[2]

There can be no doubt that one cause of a more bitter and sharper tone in the British press was the reception of the counter-exultation of the American press on learning of the detention and the exercise of "right of search" on a British ship. The American public equally went "off its head" in its expressions. Writing in 1911, the son of the American Minister to Great Britain, Charles Francis Adams, jun., in 1861, a young law-student in Boston, stated: "I do not remember in the whole course of the half-century's retrospect . . . any occurrence in which the American people were so completely swept off their feet, for the moment losing possession of their senses, as during the weeks which immediately followed the seizure of Mason and Slidell."[3] There were evident two principal causes for

[1] Cowley sent to Russell on December 3, a letter from Percy Doyle recounting an interview with Scott in which these statements were made. (F. O., France, Vol. 1399. No. 1404. Inclosure.)

[2] Dec. 13, 1861. C. F. Adams, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, p. 95.)

[3] *Ibid.*, p. 37.

this elation. The North with much emotion and high courage entering in April, 1861, upon the task of restoring the Union and hoping for quick success, had now passed through a wearisome six months with no evident progress towards its object. Northern failure had developed a deep mortification when, suddenly and unexpectedly, a bold naval captain, on his own initiative, appeared to have struck a real blow at the South. His action seemed to indicate that the fighting forces of the North, if free from the trammels of Washington red tape, could, and would, carry on energetic war. Certainly it was but a slight incident to create such Northern emotion, yet the result was a sudden lifting from despondency to elation.

But almost equally with this cause of joy there operated on American minds the notion that the United States had at last given to Great Britain a dose of her own medicine in a previous era—had exercised upon a British ship that "right of search" which had been so keenly resented by America as to have become almost a *permanent* cause of a sense of injury once received and never to be forgotten. There was no clear thinking about this; the obnoxious right of search in times of peace for vagrant seamen, the belligerent right exercised by Britain while America was a neutral, the practice of a "right of visit" claimed by Britain as necessary in suppression of the African Slave Trade—all were confused by the American public (as they are still in many history textbooks to this day), and the total result of this mixing of ideas was a general American jubilation that the United States had now revenged herself for British offences, in a manner of which Great Britain could not consistently complain. These two main reasons for exultation were shared by all classes, not merely by the uninformed mob of newspaper readers. At a banquet tendered Captain Wilkes in Boston on November 26, Governor Andrews of Massachusetts called Wilkes' action

"one of the most illustrious services that had made the war memorable," and added "that there might be nothing left [in the episode] to crown the exultation of the American heart, Commodore Wilkes fired his shot across the bows of the ship that bore the British lion at its head."[1]

All America first applauded the act, then plunged into discussion of its legality as doubts began to arise of its defensibility—and wisdom. It became a sort of temporarily popular "parlour game" to argue the international law of the case and decide that Great Britain could have no cause of complaint.[2] Meanwhile at Washington itself there was evidenced almost equal excitement and approval—but not, fortunately, by the Department responsible for the conduct of foreign relations. Secretary of the Navy Welles congratulated Wilkes on his "great public service," though criticizing him for not having brought the *Trent* into port for adjudication. Congress passed a joint resolution, December 2, thanking Wilkes for his conduct, and the President was requested to give him a gold medal commemorative of his act. Indeed, no evidence of approbation was withheld save the formal approval and avowal of national responsibility by the Secretary of State, Seward. On him, therefore, and on the wisdom of men high in the confidence of the Cabinet, like Sumner, Lyons pinned his faint hope of a peaceful solution. Thoroughly alarmed and

[1] *Ibid.*, p. 49. The *New York Times*, November 19, stated, "We do not believe the American heart ever thrilled with more genuine delight than it did yesterday, at the intelligence of the capture of Messrs. Slidell and Mason. . . . We have not the slightest idea that England will even remonstrate. On the contrary, she will applaud the gallant act of Lieut. Wilkes, so full of spirit and good sense, and such an exact imitation of the policy she has always stoutly defended and invariably pursued . . . as for Commodore Wilkes and his command, let the handsome thing be done, consecrate another *Fourth* of July to him. Load him down with services of plate and swords of the cunningest and costliest art. Let us encourage the happy inspiration that achieved such a victory." Note the "*Fourth* of July."

[2] Lyons Papers. Lousada to Lyons. Boston, Nov. 17, 1861. "Every other man is walking about with a Law Book under his arm and proving the *right* of the Ss. Jacintho to stop H.M.'s mail boat."

despondent, anxious as to the possible fate of Canada,[1] he advised against any public preparations in Canada for defence, on the ground that if the *Trent* affair did blow over it should not appear that we ever thought it an insult which would endanger peace."[2] This was very different from the action and attitude of the Government at home, as yet unknown to Lyons. He wisely waited in silence, advising like caution to others, until the receipt of instructions. Silence, at the moment, was also a friendly service to the United States.

The earliest American reactions, the national rejoicing, became known to the British press some six days after its own spasm of anger, and three days after the Government had despatched its demand for release of the prisoners and begun its hurried military preparations. On December 3 the *Times* contained the first summary of American press outpourings. The first effect in England was astonishment, followed by renewed and more intense evidences of a belligerent disposition. Soon, however, there began to appear a note of caution and more sane judgment of the situation, though with no lessening of the assertion that Britain had suffered an injury that must be redressed. The American frenzy of delight seemingly indicated a deep-seated hostility to Britain that gave pause to British clamour for revenge. On December 4 John Bright made a great speech at Rochdale, arguing a possible British precedent for Wilkes' act, urging caution, lauding American leadership in democracy, and stating his positive conviction that the United States Government was as much astonished as was that of Great Britain by the attack on the *Trent*.[3] To this the *Times* gave a full column of report on December 5

[1] "Mr. Galt, Canadian Minister, is here. He has frightened me by his account of the defencelessness of the Province at this moment." (Russell Papers. Lyons to Russell. Private. Dec. 3, 1861.)

[2] Lyons Papers. Lyons to Monck, Dec. 9, 1861.

[3] Rogers, *Speeches by John Bright*, I, p. 189 *seq.*

and the day following printed five close-type columns of the speech itself. Editorially it attacked Bright's position, belittling the speech for having been made at the one "inconspicuous" place where the orator would be sure of a warm welcome, and asking why Manchester or Liverpool had not been chosen. In fact, however, the *Times* was attempting to controvert "our ancient enemy" Bright as an apostle of democracy rather than to fan the flames of irritation over the *Trent*, and the prominence given to Bright's speech indicates a greater readiness to consider as hopeful an escape from the existing crisis.

After December 3 and up to the ninth, the *Times* was more caustic about America than previously. The impression of its editorials read to-day is that more hopeful of a peaceful solution it was more free to snarl. But with the issue of December 10 there began a series of leaders and communications, though occasionally with a relapse to the former tone, distinctly less irritating to Americans, and indicating a real desire for peace.[1] Other newspapers either followed the *Times*, or were slightly in advance of it in a change to more considerate and peaceful expressions. Adams could write to Seward on December 6 that he saw

[1] Among the communications were several on international law points by "Historicus," answering and belittling American legal argument. W. V. Harcourt, under this pseudonym, frequently contributed very acute and very readable articles to the *Times* on the American civil war. The *Times* was berated by English friends of the North. Cobden wrote Sumner, December 12, "The *Times* and its yelping imitators are still doing their worst." (Morley, *Cobden*, II, 392.) Cobden was himself at one with the *Times* in suspicion of Seward. "I confess I have not much opinion of Seward. He is a kind of American Thiers or Palmerston or Russell—and talks Bunkum. Fortunately, my friend Mr. Charles Sumner, who is Chairman of the Senate Committee on Foreign Relations, and has really a kind of veto on the acts of Seward, is a very peaceable and safe man." (*ibid.*, p. 386, to Lieut.-Col. Fitzmayer, Dec. 3, 1861.) It is interesting that Canadian opinion regarded the *Times* as the great cause of American ill-will toward Britain. A letter to Galt asserted that the "war talk" was all a "farce" (J. H. Pope to Galt, Dec. 26, 1861) and the Toronto *Globe* attacked the *Times* for the creation of bad feeling. The general attitude was that if *British* policy resulted in an American blow at Canada, it was a British, not a Canadian duty, to maintain her defence (Skelton, *Life of Sir Alexander Tilloch Galt*, pp. 340, 348.) Yet the author states that in the beginning Canada went through the same phases of feeling on the *Trent* as did Great Britain.

no change in the universality of the British demand for satisfaction of the "insult and injury thought to be endured," but he recognized in the next few days that a slow shift was taking place in the British temper and regretted the violence of American utterances. December 12, he wrote to his son in America: "It has given us here an indescribably sad feeling to witness the exultation in America over an event which bids fair to be the final calamity in this contest. . . ." Great Britain "is right in principle and only wrong in point of consistency. Our mistake is that we are donning ourselves in her cast-off suit, when our own is better worth wearing."[1] His secretarial son was more vehement: "Angry and hateful as I am of Great Britain, I still can't help laughing and cursing at the same time as I see the accounts of the talk of our people. What a bloody set of fools they are! How in the name of all that's conceivable could you suppose that England would sit quiet under such an insult. *We* should have jumped out of our boots at such a one."[2]

The British Cabinet members were divided in sentiments of hope or pessimism as to the outcome, and were increasingly anxious for an honourable escape from a possible situation in which, if they trusted the observations of Lyons, they might find themselves aiding a slave as against a free State. On November 29, Lyons had written a long account of the changes taking place in Northern feeling as regards slavery. He thought it very probable that the issue of emancipation would soon be forced upon Lincoln, and that the American conflict would then take on a new and more ideal character.[3] This letter, arriving in the midst of uncertainty about the *Trent* solution, was in line with news published in the British papers calling out

[1] *A Cycle of Adams' Letters*, I, pp. 81-2.

[2] *Ibid.*, I, p. 83. Henry Adams to Charles Francis Adams, Jr., Dec. 13, 1861.

[3] Russell Papers. Lyons to Russell. Private. Nov. 29, 1861.

editorials from them largely in disapproval.[1] Certainly Russell was averse to war. If the prisoners were not given up, what, he asked, ought England then to do? Would it be wise to delay hostilities or to begin them at once?

"An early resort to hostilities will enable us at once to raise the blockade of the South, to blockade the North, and to prevent the egress of numerous ships, commissioned as privateers which will be sent against our commerce." But then, there was Canada, at present not defensible. He had been reading Alison on the War of 1812, and found that then the American army of invasion had numbered but 2,500 men. "We may now expect 40 or 50,000."[2] Two days later he wrote to Gladstone that if America would only "let the Commissioners free to go where they pleased," he would be satisfied. He added that in that case, "I should be very glad to make a treaty with the U. S., giving up our pretensions of 1812 and securing immunity to persons not in arms on board neutral vessels or to persons going bona fide from one neutral port to another. This would be a triumph to the U. S. in principle while the particular case would be decided in our favour."[3]

On Saturday, December 14, the Prince Consort died. It was well-known that he had long been a brake upon the wheel of Palmerston's foreign policy and, to the initiated, his last effort in this direction—the modification of the instruction to Lyons on the *Trent*—was no secret. There is no evidence that his death made any change in the British

[1] See the *Times*, Dec. 14, 1861. Here for the first time the *Times* used the expression "the last card" as applied to emancipation.

[2] Palmerston MS. Russell to Palmerston, Dec. 11, 1861.

[3] Gladstone Papers. Russell to Gladstone, Dec. 13, 1861. On the same day Lady Russell wrote Lady Dumfermline: "There can be no doubt that we have done deeds very like that of Captain Wilkes . . . but I wish we had not done them. . . . It is all terrible and awful, and I hope and pray war may be averted—and whatever may have been the first natural burst of indignation in this country, I believe it would be ready to execrate the Ministry if all right and honourable means were not taken to prevent so fearful a calamity." (Dana, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, p. 528.)

position, but it was true, as the American Minister wrote, that "Now they [the British public] are beginning to open their eyes to a sense of his value. They discover that much of their political quietude has been due to the judicious exercise of his influence over the Queen and the Court, and they do not conceal their uneasiness as to the future without him."[1] The nation was plunged into deep mourning, but not to distraction from the American crisis, for on the day when all papers were black with mourning borders, December 16, they printed the news of the approval of Wilkes by the United States Congress, and gave a summary of Lincoln's message of December 2, which, to their astonishment, made no mention of the *Trent* affair. The Congressional approval caused "almost a feeling of consternation among ourselves," but Lincoln's silence, it was argued, might possibly be taken as a good omen, since it might indicate that he had as yet reached no decision.[2] Evidently there was more real alarm caused by the applause given Wilkes by one branch of the government than by the outpourings of the American press. The next day several papers printed Lincoln's message in full and the *Times* gave a long editorial analysis, showing much spleen that he had ignored the issue with Great Britain.[3] On the eighteenth this journal also called attention, in a column and a half editorial, to the report of the American Secretary of War, expressing astonishment, not unmixed with anxiety, at the energy which had resulted in the increase of the army to 700,000 men in less than nine months. The *Times* continued, even increased, its "vigour" of utterance on the *Trent*, but devoted most of its energy to combating the suggestions, now being made very generally,

[1] *A Cycle of Adams' Letters*, I, p. 87. Charles Francis Adams to his son, Dec. 20, 1861.

[2] The *Times*, Dec. 16, 1861.

[3] The *Times* twice printed the full text of the message, on December 16 and 17.

advocating a recourse to arbitration. This would be "weak concession," and less likely to secure redress and peace for the future, than an insistence on the original demands.

Statesmen also were puzzled by Lincoln's silence. Milner Gibson wrote that "even though Lyons should come away, I think the dispute may after all be settled without war."[1] Cornewall Lewis thought the "last mail from America is decidedly threatening, not encouraging."[2] But on December 19, Adams was at last able to give Russell official assurance that Wilkes had acted without authorization. Russell at once informed Lyons of this communication and that he had now told Adams the exact terms of his two instructions to Lyons of November 30. He instructed Lyons to accept in place of an apology an explanation that Wilkes' action was unauthorized—a very important further British modification, but one which did not reach Lyons until after the conclusion of the affair at Washington.[3] Meanwhile a notable change had taken place in American public expressions. It now regarded "the Wilkes affair unfavourably, and would much prefer it had not occurred at all,"[4] a re-action without question almost wholly caused by the knowledge of the British demand and the unanimous

[1] Gladstone Papers. Milner-Gibson to Gladstone, Dec. 18, 1861.

[2] Maxwell, *Clarendon*, II, p. 225. Lewis to Clarendon, Dec. 18, 1861.

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting the *Trent*." No 14. Russell to Lyons, Dec. 19, 1861. The Government did not make public Adams' confirmation of "no authorization of Wilkes." Possibly it saw no reason for doing so, since this had been established already by Wilkes' own statements. The point was later a matter of complaint by Americans, who regarded it as indicating a peevish and unfriendly attitude. (Willard, *Letter to an English Friend on the Rebellion in the United States*, p. 23. Boston, 1862.) Also by English friends; Cobden thought Palmerston had intentionally prolonged British feeling for political purposes. "Seward's despatch to Adams on the 19th December [*communicated to Russell* on the 19th] . . . virtually settled the matter. To keep alive the wicked passions in this country as Palmerston and his *Post* did, was like the man, and that is the worst that can be said of it." (Morley, *Cobden*, II, p. 389. To Mr. Paulton, Jan., 1862.)

[4] Davis to Adams. New York. Dec. 21, 1861. C. F. Adams, *The Trent Affair*, (*Proceedings*, Mass. Hist. Soc., XLV, p. 107.)

support given it by the British public.[1] On Great Britain the alteration in the American tone produced less effect than might have been expected, and this because of the persistent fear and suspicion of Seward. His voice, it was felt, would in the end be the determining one, and if British belief that he had long sought an occasion for war was correct, this surely was the time when he could be confident of popular support. Thurlow Weed, Seward's most intimate political adviser, was now in London and attempted to disabuse the British public through the columns of the *Times*. His communication was printed, but his assertion that Seward's unfriendly utterances, beginning with the "Newcastle story," were misunderstood, did not convince the *Times*, which answered him at length,[2] and asserted its belief ". . . that upon his ability to involve the United States in a war with England, Mr. Seward has staked his official, and, most probably, also his political existence." The Duke of Newcastle's report of Seward's remarks, wrote George Peabody later, "has strongly influenced the Government in war preparations for several months past."[3] Adams himself, though convinced that Seward's supposed animosity "was a mistake founded on a bad joke of his to the Duke of Newcastle," acknowledged

[1] There has crept into American historical writing of lesser authenticity a story that just at this juncture there appeared, in the harbours of New York and San Francisco, Russian fleets whose commanders let it be understood that they had come under "sealed orders" not to be opened except in a certain grave event and that their presence was, at least, not an unfriendly indication of Russian sentiment in the *Trent* crisis. This is asserted to have bolstered American courage and to give warrant for the argument that America finally yielded to Great Britain from no fear of consequences, but merely on a clearer recognition of the justice of the case. In fact the story is wholly a myth. The Russian fleets appeared two years later in the fall of 1863, not in 1861. Harris, *The Trent Affair*, pp. 208-10, is mainly responsible for this story, quoting the inaccurate memory of Thurlow Weed. (*Autobiography*, II, pp. 346-7.) Reliable historians like Rhodes make no mention of such an incident. The whole story of the Russian fleets with their exact instructions is told by F. A. Golder, "The Russian Fleet and the Civil War," *Am. Hist. Rev.*, July, 1915.

[2] Weed, *Autobiography*, II, pp. 354-61.

[3] *Ibid.*, p. 365. Peabody to Weed, Jan. 17, 1862.

that: "The Duke has, however, succeeded in making everybody in authority here believe it."[1] Surely no "joke" to an Englishman ever so plagued an American statesman; but British Ministers founded their suspicions on far more serious reasons, as previously related.[2]

As time passed without an answer from America, British speculation turned to estimates of the probable conditions of a war. These were not reassuring since even though postulating a British victory, it appeared inevitable that England would not escape without considerable damage from the American navy and from privateers. Americans were "a powerful and adventurous people, strong in maritime resources, and participating in our own national familiarity with the risks and dangers of the deep."[3] Englishmen must not think that a war would be fought only on the shores of America and in Canada. The legal question was re-hashed and intelligent American vexation re-stated in three letters printed in the *Daily News* on December 25, 26 and 27, by W. W. Story, an artist resident in Rome, but known in England as the son of Justice Story, whose fame as a jurist stood high in Great Britain.[4] By the last week of the year Adams felt that the Ministry, at least, was eager to find a way out: "The Government here will not press the thing to an extreme unless they are driven to it by the impetus of the wave they have themselves created."[5] He greatly regretted the death of the Prince Consort who "believed in the policy of conciliating the United States instead of repelling them." On December 27, Adams wrote Seward: "I think the signs are clear of a

[1] *A Cycle of Adams' Letters*, I, p. 91. Charles Francis Adams to his son, Dec. 27, 1861.

[2] See *ante*, Ch. IV.

[3] The *Times*, Dec. 25, 1861.

[4] James, *William Wetmore Story and his Friends*, II, pp. 108-9. The letters were sent to Robert Browning, who secured their publication through Dicey.

[5] C. F. Adams, *The Trent Affair*. Adams to Motley, Dec. 26, 1861. (*Proceedings*, Mass. Hist. Soc., XLV, p. 109).

considerable degree of reaction." He also explained the causes of the nearly unanimous European support of England in this contention: "Unquestionably the view of all other countries is that the opportunity is most fortunate for obtaining new and large modifications of international law which will hereafter materially restrain the proverbial tendency of this country on the ocean."[1]

Adams' estimate was correct. Even the *Morning Post*, generally accepted as Palmerston's organ,[2] and in the *Trent* crisis the most 'vigorous' of all metropolitan journals, commented upon the general public hope of a peaceful solution, but asked on December 30, ". . . can a Government [the American] elected but a few months since by the popular choice, depending exclusively for existence on popular support, afford to disappoint the popular expectation? The answer to this question must, we fear, be in the negative. . . ." The *Post* (thereby Palmerston?) did indeed, as later charged, "prolong the excitement," but not with its earlier animosity to America. The very fact that the *Post* was accepted as Palmerston's organ justified this attitude for it would have been folly for the Government to announce prematurely a result of which there was as yet no definite assurance. Yet *within* the Cabinet there was a more hopeful feeling. Argyll believed Adams' statement to Russell of December 19 was practically conclusive,[3] and Adams himself now thought that the prevalent idea was waning of an American plan to inflict persistent "indignities" on Britain: "at least in this case nothing of the kind had been intended."[4] Everyone wondered at and was vexed with the delay of an answer from America, yet hopefully believed that this indicated

[1] *Ibid.*, p. 110.

[2] Palmerston had very close relations with Delane, of the *Times*, but that paper carefully maintained its independence of any party or faction.

[3] Gladstone Papers. Argyll to Gladstone, Dec. 30, 1861.

[4] State Dept., Eng., Vol. 78. No. 97. Adams to Seward, Jan. 2, 1862.

ultimate yielding. There could be no surety until the event. Russell wrote to Palmerston on January 7, " I still incline to think Lincoln will submit, but not until the clock is 59 minutes past 11. If it is war, I fear we must summon Parliament forthwith."[1]

The last moment for reply was indeed very nearly taken advantage of at Washington, but not to the full seven days permitted for consideration by Russell's November thirtieth instructions to Lyons. These were received on December 18, and on the next day Lyons unofficially acquainted Seward with their nature.[2] The latter expressed gratification with the " friendly and conciliatory manner " of Lyons and asked for two days' time for consideration. On Saturday, December 21, therefore, Lyons again appeared to make a formal presentation of demands but was met with a statement that the press of other business had prevented sufficient consideration and was asked for a further two days' postponement until Monday. Hence December 23 became the day from which the seven days permitted for consideration and reply dated. In the meantime, Mercier, on December 21, had told Seward of the strong support given by France to the British position.

The month that had elapsed since the American outburst on first learning of Wilkes' act had given time for a cooling of patriotic fever and for a saner judgment. Henry Adams in London had written to his brother that if the prisoners were not given up, " this nation means to make war." To this the brother in America replied " this nation doesn't,"[3] an answer that sums up public determination no matter how loud the talk or deep the feeling. Seward understood

[1] Palmerston MS.

[2] Bancroft, *Seward*, II, p. 233. Lyons officially reported that he carried no papers with him (*Parliamentary Papers*, 1862, *Lords*, Vol. XXV. " Correspondence respecting the *Trent*." No. 19. Lyons to Russell, Dec. 19, 1861). Newton (*Lyons*, I, pp. 55-78) shows that Seward was, in fact, permitted to read the instructions on the nineteenth.

[3] *A Cycle of Adams' Letters*, I, p. 86. C. F. Adams, Jr., to Henry Adams, Dec. 19, 1861.

the change and had now received strong warnings from Adams and Weed in London, and from Dayton in Paris,[1] but these were not needed to convince him that America must yield. Apparently, he had recognized from the first that America was in an impossible situation and that the prisoners must be released *if the demand were made.* The comment of those who were " wise after the event " was that true policy would have dictated an immediate release of the prisoners as seized in violation of international law, before any complaint could be received from Great Britain. This leaves out of consideration the political difficulties at home of an administration already seriously weakened by a long-continued failure to " press the war," and it also fails to recognize that in the American Cabinet itself a proposal by Seward to release, made immediately, would in all probability have been negatived. Blair, in the Cabinet, and Sumner in the Senate, were, indeed, in favour of prompt release, but Lincoln seems to have thought the prisoners must be held, even though he feared they might become " white elephants." All that Seward could do at first was to notify Adams that Wilkes had acted without instructions.[2]

[1] Bancroft, *Seward*, II, p. 234. Adams' letter of December 3 was received on December 21; Dayton's of December 3, on the 24th.

[2] Much ink has flowed to prove that Lincoln's was the wise view, seeing from the first the necessity of giving up Mason and Slidell, and that he overrode Seward, e.g., Welles, *Lincoln and Seward*, and Harris, *The Trent Affair*. Rhodes, III, pp. 522-24, and Bancroft, *Seward*, II, pp. 232-37, disprove this. Yet the general contemporary suspicion of Seward's " anti-British policy," even in Washington, is shown by a despatch sent by Schleiden to the Senate of Bremen. On December 23 he wrote that letters from Cobden and Lyndhurst had been seen by Lincoln.

" Both letters have been submitted to the President. He returned them with the remark that ' peace will not be broken if England is not bent on war.' At the same time the President has assured my informant that he would examine the answer of his Secretary of State, word for word, in order that no expression should remain which could create bad blood anew, because the strong language which Mr. Seward had used in some of his former despatches seems to have irritated and insulted England " (Schleiden Papers). No doubt Sumner was Schleiden's informant. At first glance Lincoln's reported language would seem to imply that he was putting pressure on Seward to release the prisoners and Schleiden apparently so interpreted them. But the fact was that at the date when this was written Lincoln had not yet committed himself to accepting Seward's view. He told Seward, " You will go on, of course, preparing your answer,

On Christmas morning the Cabinet met to consider the answer to Great Britain. Sumner attended and read letters from Bright and Cobden, earnestly urging a yielding by America and depicting the strength of British feeling. Bright wrote: "If you are resolved to succeed against the South, *have no war with England;* make every concession that can be made; don't even hesitate to tell the world *that you will even concede what two years ago no Power would have asked of you,* rather than give another nation a pretence for assisting in the breaking up of your country."[1] Without doubt Bright's letters had great influence on Lincoln and on other Cabinet members, greatly aiding Seward, but that his task was difficult is shown by the fact that an entire morning's discussion brought no conclusion. Adjournment was taken until the next day and after another long debate Seward had the fortune to persuade his associates to a hearty unanimity on December 26. The American reply in the form of a communication to Lyons was presented to him by Seward on the 27th, and on that same day Lyons forwarded it to Russell. It did not contain an apology, but Lyons wrote that since the prisoners were to be released and acknowledgment was made that reparation was due to Great Britain, he considered that British demands were "so far substantially complied with" that he should remain at his post until he received further orders.[2]

Seward's reply was immediately printed in the American papers. Lyons reported that it was very well received and that the public was calm and apparently contented with the

which, as I understood it, will state the reasons why they ought to be given up. Now, I have a mind to try my hand at stating the reasons why they ought *not* to be given up. We will compare the points on each side." Lincoln's idea was, in short, to return an answer to Great Britain, proposing arbitration (Bancroft, *Seward*, II, 234).

[1] Mass. Hist. Soc. *Proceedings*, XLV, 155. Bright to Sumner, Dec. 14, 1861. The letters to Sumner on the *Trent* are all printed in this volume of the *Proceedings*. The originals are in the *Sumner Papers* in the library of Harvard University.

[2] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting the *Trent*." No. 24. Lyons to Russell, Dec. 27, 1861.

outcome.[1] He thought that "thus the preparation for war . . . has prevented war." Seward's argument reviewed at great length all the conditions of the incident, dilated on many points of international law both relevant and irrelevant, narrated the past relations of the two nations on "right of search," and finally took the ground that Mason and Slidell were contraband of war and justly subject to capture, but that Wilkes had erred in not bringing the *Trent*, with her passengers, into port for trial by an American prize court. Therefore the two envoys with their secretaries would be handed over promptly to such persons as Lyons might designate. It was, says Seward's biographer, not a great state paper, was defective in argument, and contained many contradictions,[2] but, he adds, that it was intended primarily for the American public and to meet the situation at home. Another critic sums up Seward's difficulties: he had to persuade a President and a reluctant Cabinet, to support the naval idol of the day, to reconcile a Congress which had passed resolutions highly commending Wilkes, and to pacify a public earlier worked up to fever pitch.[3] Still more important than ill-founded assertions about the nature of contraband of war, a term not reconcilable with the *neutral port* destination of the *Trent*, was the likening of Mason and Slidell to "ambassadors of independent states." For eight months Seward had protested to Europe "that the Confederates were not belligerents, but insurgents," and now "his whole argu-

[1] F. O., Am., Vol. 777. No. 807. Lyons to Russell, Dec. 31, 1861. But he transmitted a few days later, a "shocking prayer" in the Senate on December 30, by the Rev. Dr. Sutherland, which showed a bitter feeling. "O Thou, just Ruler of the world . . . we ask help of Thee for our rulers and our people, that we may patiently, resolutely, and with one heart abide our time; for it is indeed a day of darkness and reproach—a day when the high principle of human equity constrained by the remorseless sweep of physical and armed force, must for the moment, succumb under the plastic forms of soft diplomacy" (Russell Papers. Lyons to Russell, Jan. 3, 1862).

[2] Bancroft, *Seward*, II, 249-53.

[3] C. F. Adams, *The Trent Affair*. (*Proceedings*, Mass. Hist. Soc., XLV, p. 75).

ment rested on the fact that they were belligerents. . . .[1] But this did not later alter a return to his old position nor prevent renewed arguments to induce a recall by European states of their proclamations of neutrality.

On the afternoon of January 8, a telegram from Lyons was received in London, stating that the envoys would be released and the next day came his despatch enclosing a copy of Seward's answer. The envoys themselves did not reach England until January 30, and the delay in their voyage gave time for an almost complete disappearance of public interest in them.[2] January 10, Russell instructed Lyons that Great Britain was well satisfied with the fact and manner of the American answer, and regarded the incident as closed, but that it could not agree with portions of Seward's argument and would answer these later. This was done on January 23, but the reply was mainly a mere formality and is of interest only as revealing a further shift in the opinion of the legal advisers, with emphasis on the question of what constitutes contraband.[3] Possibly the British Government was embarrassed by the fact that while France had strongly supported England at Washington, Thouvenel had told Cowley ". . . that the conduct pursued by Capt. Wilkes, whether the United States claimed to be considered as Belligerents, *or as a Government engaged in putting down a rebellion*, was a violation of all those principles of Maritime international law, which France had

[1] Bancroft, *Seward*, II, 250.

[2] Mason, Slidell, Eustis and McFarland were delivered to the British ship *Rinaldo*, January 1, 1862. *En route* to Halifax the ship encountered a storm that drove her south and finally brought her to St. Thomas, where the passengers embarked on a packet for Southampton.

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence respecting the *Trent*." Nos. 27 and 35. February 3, Lyons reported that Sumner, in a fireside talk, had revealed that he was in possession of copies of the Law Officers' opinions given on November 12 and 28 respectively. Lyons was astounded and commented that the Law Officers, before giving any more opinions, ought to know this fact (F. O., Am., Vol. 824. No. 76. Lyons to Russell).

ever supported . . ."[1] and had instructed Mercier to so state to Seward. This implied a reflection on former British practice, especially as regards the exercise of a right of search to recover its own citizens and is indicative of the correctness of Adams' judgment that one main reason for European support of Great Britain in the *Trent* crisis, was the general desire to tie her to a limitation of belligerent maritime power.

In notifying Russell of the release of the prisoners, Lyons had stated that he would caution the Commander of the ship conveying them that they were "not to be received with honours or treated otherwise than as distinguished *private* gentlemen."[2] Russell was equally cautious, seeing Mason, shortly after arrival in London, "unofficially at my own house," on February 10, refusing to read his credentials, and after listening to a statement of his instructions, replying that "nothing had hitherto occurred which would justify or induce" Great Britain to depart from a position of neutrality.[3] Russell had already suggested that Thouvenel use the same method with Slidell.[4] This procedure does not necessarily indicate a change in governmental attitude, for it is exactly in line with that pursued toward the Confederate Commissioners before the *Trent*; but the *Trent* controversy might naturally have been expected to have brought about an *easier* relation between Russell and a Southern representative. That it did not do so is evidence of Russell's care not to give offence to Northern susceptibilities. Also, in relief at the outcome of the *Trent*, he was convinced, momentarily at least, that the general British suspicion of Seward was unfounded. "I do not," he wrote to Gladstone, "believe that Seward has any ani-

[1] F. O., France, Vol. 1399. No. 1397. Cowley to Russell, Dec. 3, 1861. The italics are mine.

[2] Newton, *Lyons*, I, 73.

[3] F. O., Am., Vol. 817. No. 57. Draft. Russell to Lyons, Feb. 11, 1861.

[4] F. O., France, Vol. 1419. No. 73. Draft. Russell to Cowley, Jan. 20, 1862.

mosity to this country. It is all buncom " (*sic*).[1] Apparently it was beginning to be realized by British statesmen that Seward's " high tone " which they had interpreted, with some justification earlier, as especially inimical to England, now indicated a foreign policy based upon one object only—the restoration of the Union, and that in pursuit of this object he was but seeking to make clear to European nations that the United States was still powerful enough to resent foreign interference. The final decision in the *Trent* affair, such was the situation in the American Cabinet, rested on Seward alone and that decision was, from the first, for peace.

Nor did Seward later hold any grudge over the outcome. America in general, however, though breathing freely again as the war cloud passed, was bitter. " The feeling against Great Britain is of intense hatred and the conclusion of the whole matter is, that we must give up the traitors, put down the rebellion, increase our navy, perfect the discipline of the 600,000 men in the field, and then fight Great Britain."[2] Lowell, in one of the most emotional of his " Bigelow Papers," wrote, on January 6, 1862 :

" It don't seem hardly right, John,
When both my hands was full,
To stump me to a fight, John—
Your cousin, tu, John Bull !
Ole Uncle S., sez he, ' I guess
We know it now,' sez he,
' The lion's paw is all the law,
Accordin' to J.B.,
Thet's fit for you an' me ! ' " [3]

[1] Gladstone Papers. Russell to Gladstone, Jan. 26, 1862.

[2] Bigelow, *Retrospections*, I, 424. Bowen to Bigelow, Dec. 27, 1861.

[3] *Poems. Bigelow Papers.* " Jonathan to John." After the release of the envoys there was much correspondence between friends across the water as to the merits of the case. British friends attempted to explain and to soothe, usually to their astonished discomfiture on receiving angry American replies. An excellent illustration of this is in a pamphlet published in Boston in the fall of 1862, entitled, Field and Loring, *Corres-*

It was not the demand itself for the release of Mason and Slidell that in the end so stirred America as the warlike tone of the British press and the preparations of the Government. Even after their surrender America was further incensed by British boasting that America had yielded to a threat of war, as in the *Punch* cartoon of a penitent small boy, Uncle Sam, who "says he is very sorry and that he didn't mean to do it," and so escapes the birching Britannia was about to administer. America had, in all truth, yielded to a threat, but disliked being told so, and regarded the threat itself as evidence of British ill-will.[1] This was long the attitude of the American public.

In England the knowledge of America's decision caused a great national sigh of relief, coupled with a determination to turn the cold shoulder to the released envoys. On January 11, the *Times* recounted the earlier careers of Mason and Slidell, and stated that these two "more than any other men," were responsible for the traditional American "insane prejudice against England," an assertion for which no facts were offered in proof, and one much overestimating the influence of Mason and Slidell on American politics before secession. They were "about the most worthless booty it would be possible to extract from the jaws of the American lion. . . . So we do sincerely hope that our countrymen will not give these fellows anything in the shape of an ovation." Continuing, the *Times* argued:

> "What they and their secretaries are to do here passes our conjecture. They are personally nothing to us. They must not suppose, because we have gone to the very verge of a great war to rescue them, that therefore they are

pondence on the Present Relations between Great Britain and the United States of America. The American, Loring, wrote, "The conviction is nearly if not quite universal that we have foes where we thought we had friends," p. 7.

[1] Dana, *The Trent Affair.* (*Proceedings*, Mass. Hist. Soc., XLV, pp. 508-22).

> precious in our eyes. We should have done just as much to rescue two of their own Negroes, and, had that been the object of the rescue, the swarthy Pompey and Cæsar would have had just the same right to triumphal arches and municipal addresses as Messrs. Mason and Slidell. So, please, British public, let's have none of these things. Let the Commissioners come up quietly to town, and have their say with anybody who may have time to listen to them. For our part, we cannot see how anything they have to tell can turn the scale of British duty and deliberation."

This complete reversal, not to say somersault, by the leading British newspaper, was in line with public expressions from all sections save the extreme pro-Southern. Adams was astonished, writing privately: "The first effect of the surrender . . . has been extraordinary. The current which ran against us with such extreme violence six weeks ago now seems to be going with equal fury in our favour."[1] Officially on the same day he explained this to Seward as caused by a late development in the crisis of a full understanding, especially "among the quiet and religious citizens of the middle classes," that if Great Britain did engage in war with the United States she would be forced to become the ally of a "slave-holding oligarchy."[2]

Here, in truth, lay the greatest cause of British anxiety during the period of waiting for an answer and of relief when that answer was received. If England and America became enemies, wrote Argyll, "we necessarily became virtually the *Allies* of the *Scoundrelism* of the South."[3] Robert Browning, attempting to explain to his friend Story the British attitude, declared that early in the war Britain was with the North, expecting "that the pure and simple rights [of anti-slavery] in the case would be declared and vigorously carried out without one let or stop," but

[1] *A Cycle of Adams' Letters*, I, 99. To his son, Jan. 10, 1862.
[2] State Dept., Eng., Vol. 78. No. 99. Adams to Seward, Jan. 10, 1862.
[3] Gladstone Papers. Argyll to Gladstone, Dec. 7, 1861. Also expressed again to Gladstone. *Ibid.*, Jan. 1, 1862.

that Lincoln's denial of emancipation as an object had largely destroyed this sympathy. Browning thought this an excusable though a mistaken judgment since at least: "The *spirit* of all of Mr. Lincoln's acts is altogether against Slavery in the end."[1] He assured Story that the latter was in error "as to men's 'fury' here": "I have not heard one man, woman or child express anything but dismay at the prospect of being obliged to go to war on any grounds with America."[2] And after the affair was over he affirmed: "The purpose of the North is also understood at last; . . . there is no longer the notion that 'Slavery has nothing to do with it.'"[3]

A few extreme pro-Northern enthusiasts held public meetings and passed resolutions commending the "statesmanlike ability and moderation of Seward," and rejoicing that Great Britain had not taken sides with a slave power.[4] In general, however, such sentiments were not *publicly* expressed. That they were keenly felt, nevertheless, is certain. During the height of the crisis, Anthony Trollope, then touring America, even while sharing fully in the intense British indignation against Captain Wilkes, wrote:

> "These people speak our language, use our prayers, read our books, are ruled by our laws, dress themselves in our image, are warm with our blood. They have all our virtues; and their vices are our own too, loudly as we call out against them. They are our sons and our daughters, the source of our greatest pride, and as we grow old they should be the staff of our age. Such a war as we should now wage with the States would be an unloosing of hell upon all that is best upon the world's surface."[5]

[1] James, *William Wetmore Story and His Friends*, II, 105. Browning to Story, Dec. 17, 1861.

[2] *Ibid.*, p. 109. To Story, Dec. 31, 1861.

[3] *Ibid.*, p. 110. To Story, Jan. 21, 1862.

[4] *Liberator*, Feb. 7, 1862. Giving an account of a meeting at Bromley-by-Bow.

[5] Trollope, *North America* (Chapman & Hall, London, 1862), I, p. 446. Trollope left England in August, 1861, and returned in the spring

The expressions of men like Browning and Trollope may not indeed, be regarded as typical of either governmental or general public reactions. Much more exactly and with more authority as representing that thoughtful opinion of which Adams wrote were the conclusions of John Stuart Mill. In an article in *Fraser's Magazine*, February, 1862, making a strong plea for the North, he summarized British feeling about the *Trent:*

> "We had indeed, been wronged. We had suffered an indignity, and something more than an indignity, which, not to have resented, would have been to invite a constant succession of insults and injuries from the same and from every other quarter. We could have acted no otherwise than we have done; yet it is impossible to think, without something like a shudder, from what we have escaped. We, the emancipators of the slave—who have wearied every Court and Government in Europe and America with our protests and remonstrances, until we goaded them into at least ostensibly co-operating with us to prevent the enslaving of the negro . . . *we* should have lent a hand to setting up, in one of the most commanding positions of the world, a powerful republic, devoted not only to slavery, but to pro-slavery propagandism. . . ."

No such protestations of relief over escape from a possible alliance with the South were made officially by the Government, or in a debate upon the *Trent*, February 6, when Parliament reassembled. In the Lords the Earl of Shelburne thought that America should have made a frank and open apology. The Earl of Derby twitted the United States with having yielded to force alone, but said the time "had not yet come" for recognizing the Confederacy. Lord Dufferin expressed great friendship for America and declared that Englishmen ought to make themselves better

of 1862. He toured the North and the West, was a close observer, and his work, published in midsummer 1862, was very serviceable to the North, since he both stated the justice of the Northern cause and prophesied its victory.

informed of the real merits of the Civil War. Earl Granville, speaking for the Government, laid stress upon the difficulties at home of the Washington administration in pacifying public opinion and asserted a personal belief that strict neutrality was England's best policy, "although circumstances may arise which may call for a different course." On the same day in the Commons the debate was of a like general tenor to that in the Lords, but Disraeli differed from his chief (Derby) in that he thought America had been placed in a very difficult position in which she had acted very honourably. Palmerston took much credit for the energetic military preparations, but stated "from that position of strict neutrality, it is not our intention to depart"—an important declaration if taken, as apparently it was not, as fixing a policy. In substance all speakers, whether Whig or Tory, praised the Government's stand, and expressed gratification with the peaceful outcome.[1]

A further debate on the *Trent* was precipitated by Bright on February 17, in connection with the estimates to cover the cost of the military contingents sent to Canada. He asserted that England by generously trusting to American honour, might have won her lasting friendship, and it is worthy of note that for the first time in any speech made by him *in Parliament*, Bright declared that the war was one for the abolition of slavery. Palmerston in reply made no comment on the matter of slavery, but energetically defended the military preparations as a necessary precaution. Bright's speech was probably intended for American consumption with the purpose of easing American ill-will, by showing that even in Parliament there were those who disapproved of that show of force to which America so much objected. He foresaw that this would long be the basis of American bitterness. But Palmerston was undoubtedly

[1] Hansard, 3rd. Ser., CLXV, p. 12 *seq.*, though not consecutive as the speeches were made in the course of the debate on the Address to the Throne.

correct in characterizing Bright's opinion as a "solitary one." And looked at from a distance of time it would seem that a British Government, impressed as it was with a sense of Seward's unfriendliness, which had not prepared for war when making so strong a demand for reparation, would have merited the heaviest condemnation. If Mill was right in stating that the demand for reparation was a necessity, then so also were the military preparations.

Upon the Government the *Trent* acted to bring to a head and make more clear the British relation to the Civil War in America. By November, 1861, the policy of strict neutrality adopted in May, had begun to be weakened for various reasons already recited—weakened not to the point of any Cabinet member's advocacy of change, but in a restlessness at the slow development of a solution in America. Russell was beginning to *think*, at least, of recognition of the Confederacy. This was clear to Lyons who, though against such recognition, had understood the drift, if Schleiden is to be trusted, of Ministerial opinion. Schleiden reported on December 31 that Lyons had expressed to him much pleasure at the peaceful conclusion of the *Trent* affair, and had added, "England will be too generous not to postpone the recognition of the independence of the South as long as possible after this experience."[1] But the *Trent* operated like a thunder-storm to clear the atmosphere. It brought out plainly the practical difficulties and dangers, at least as regards Canada, of a war with America; it resulted in a weakening of the conviction that Seward was unfriendly; it produced from the British public an even greater expression of relief, when the incident was closed, than of anger when it occurred; and it created in a section of that public a fixed belief, shared by at least one member of the Cabinet, that the issue in America was that of slavery, in support of which England could not possibly take a stand.

[1] Schleiden Papers. Schleiden to the Senate of Bremen.

This did not mean that the British Government, nor any large section of the public, believed the North could conquer the South. But it did indicate a renewed vigour for the policy of neutrality and a determination not to get into war with America. Adams wrote to Seward, "I am inclined to believe that the happening of the affair of the *Trent* just when it did, with just the issue that it had, was rather opportune than otherwise."[1] Hotze, the confidential agent of the Confederacy in London, stated, "the *Trent* affair has done us incalculable injury," Russell is now "an avowed enemy of our nationality."[2] Hotze was over-gloomy, but Russell himself declared to Lyons: "At all events I am heart and soul a neutral . . . what a fuss we have had about these two men."[3]

[1] State Dept., Eng., Vol. 78. No. 114. Adams to Seward, Feb. 13, 1862.

[2] Pickett Papers. Hotze to Hunter, March 11, 1862.

[3] Lyons Papers. Russell to Lyons, Feb. 8, 1862.

CHAPTER VIII

THE BLOCKADE

THE six months following the affair of the *Trent* constituted a period of comparative calm in the relations of Great Britain and America, but throughout that period there was steadily coming to the front a Northern belligerent effort increasingly effective, increasingly a cause for disturbance to British trade, and therefore more and more a matter for anxious governmental consideration. This was the blockade of Southern ports and coast line, which Lincoln had declared *in intention* in his proclamation of April 19, 1861.

As early as December, 1860, Lyons had raised the question of the relation of British ships and merchants to the secession port of Charleston, South Carolina, and had received from Judge Black an evasive reply.[1] In March, 1861, Russell had foreseen the possibility of a blockade, writing to Lyons that American precedent would at least require it to be an effective one, while Lyons made great efforts to convince Seward that *any* interference with British trade would be disastrous to the Northern cause in England. He even went so far as to hint at British intervention to preserve trade.[2] But on April 15, Lyons, while believing that no effective blockade was possible, thought that the attempt to institute one was less objectionable than legislation " closing the Southern Ports as Ports of Entry," in reality a mere paper blockade and one which would " justify Great Britain and France in recognizing the Southern

[1] See *ante*, p. 52.

[2] See *ante*, pp. 61 and 65-66.

Confederacy. . . ." Thus he began to weaken in opposition to *any* interference.[1] His earlier expressions to Seward were but arguments, without committing his Government to a line of policy, and were intended to make Seward step cautiously.

Possibly Lyons thought he could frighten the North out of a blockade campaign. But when the Civil War actually began and Lincoln, on April 19, declared he had "deemed it advisable to set on foot a blockade," and that when a "competent force" had been posted "so as to prevent entrance and exit of vessels," warning would be given to any vessel attempting to enter or to leave a blockaded port, with endorsement on her register of such warning, followed by seizure if she again attempted to pass the blockade, Lyons felt that: "If it be carried on, with reasonable consideration for Foreign Flags, and in strict conformity with the Law of Nations, I suppose it must be recognized."[2] The Proclamation named the original seven seceding states, and on April 27 Virginia was added. The blockade was actually begun at certain Virginia ports on April 30, and by the end of May there were a few war-ships off all the more important Southern harbours.[3] This method of putting a blockade into effect by warning at the port rather than by a general notification communicated to European governments and setting a date, involved a hardship on British merchants since they were thereby made uncertain whether goods started for a Southern port would be permitted to enter. In practice vessels on their first departure from a blockaded harbour were warned and permitted to go out, but those seeking to enter were warned and turned back. In *effect*, while the blockade was being established, Lincoln's Proclamation had something of the nature for

[1] Russell Papers. Lyons to Russell, April 15, 1861.
[2] *Ibid.* Lyons to Russell. Private. April 23, 1861.
[3] Bernard, *Neutrality of Great Britain*, pp. 80-1.

the timid British merchant, though not for the bold one, of a paper blockade. This was not clearly understood by Lyons, who thought neutrals must acquiesce, having "exhausted every possible means of opposition," but who consoled himself with the idea that "for some time yet" British trade could be carried on.[1]

Lyons was in fact sceptical, as he told Seward in a long conversation on April 29 of the possibility of blockading a 3,000 mile coast line, but Seward assured him it would be done and effectively.[2] The British press was equally sceptical, and in any case believed that the war would be of short duration, so that there need be no anxiety over next year's supply of cotton.[3] In Parliament Russell took the stand that the blockade, if carried on in accordance with international law and made effective, required British recognition and respect. He also defended Lincoln's "notification at the port" method, stating that it might seem a hardship, but was perfectly legal.[4] Thus there was early and easy acquiescence in the American effort, but when, in June, there was revived a Northern plan to close Southern ports by legislative action, Britain was stirred to quick and vigorous opposition. Lyons learned that a Bill would be introduced in Congress giving the President authority, among other powers, to "proclaim" the ports closed, thus notifying foreign nations not to attempt to use them. He saw in it an unexpected application of the Northern theory that the South was not a belligerent and had no rights as such, and he regarded it as in effect a paper blockade.[5]

The fourth section of the Bill as introduced in Congress did not direct the President to issue a proclamation closing Southern ports—it merely gave him the power to do so.

[1] Russell Papers. Lyons to Russell, April 27, 1861.
[2] Bernard, p. 229.
[3] *Saturday Review*, May 18, 1861.
[4] Hansard, 3rd. Ser., CLXIII, pp. 188-195.
[5] Russell Papers. Lyons to Russell, June 24, 1861.

Almost from the first Lyons thought that Lincoln and Seward were too wise to issue such a proclamation.[1] Nevertheless it was his duty to be on guard and to oppose the plan. For six weeks there was much communication in regard to the "Southern Ports Bill," as all parties called it, from Russell to Lyons, and also with Cowley in France. The British Foreign Office interest in the matter, almost rising to excitement, is somewhat astonishing in view of the small importance evidently attached to the plan at Washington and the reluctance of France to be as vigorous as Great Britain in protest. Vigorous Russell certainly was, using a "high tone" in official remonstrance to America not unlike that taken by Seward on British recognition of Southern belligerency.

Immediately on learning of the introduction of the Bill Russell addressed enquiries to Cowley asking what France intended and urged a stiff protest. Thouvenel had not heard of the Bill and was seemingly indifferent. At first he acquiesced in Russell's protest, then drew back and on three separate occasions promised support only to withdraw such promise. He was disinclined, said Cowley, to join in a "friendly hint" to America because of the touchy sensibilities lately shown by Seward, and feared a direct protest might result in an American declaration of war. In any case why not wait until the President *did* act, and even then the proper method would be a protest rather than "reprisals." "I wish," wrote Cowley, on July 28, "that the French were inclined to be more *bumptious*, as they seemed to be at first. I would at all times rather have the task of calming them, than of urging them on. . . ."[2]

[1] *Ibid.* Lyons to Russell, July 2, 1861.

[2] Russell Papers. Cowley to Russell. The important correspondence on this subject is found in: F. O., France, Vol. 1393. No. 796. Cowley to Russell, July 2, 1861. *Ibid.*, No. 804. Cowley to Russell, July 4, 1861. *Ibid.*, Vol. 1377. No. 704. Russell to Cowley, July 10, 1861. *Ibid.*, Vol. 1394. No. 874. Cowley to Russell, July 17, 1861. *Ibid.*, No. 922. Cowley to Russell, July 28, 1861. *Ibid.*, No. 923. Confidential

Nevertheless Russell on July 19 notified Lyons that England would not observe a "legislative closing" of Southern ports.[1] On July 12 Lyons telegraphed that the Bill had passed both Houses of Congress, and on the sixteenth he wrote privately to Russell that he was much disturbed over its possible consequences since "even Sumner was for it,"[2] as this indicated a real intention to carry it into effect.[3] On August 8, Russell sent formal instructions of protest, a copy of which was to be handed to Seward, but the next day authorized Lyons to exercise discretion as to communicating the despatch.[4]

The original form of this instruction, dated in June and revised in July, concluded with language that might well draw out Thouvenel's objection to a threat of "reprisals." It read that "H.M.G. . . . reserve . . . the right of acting in concert with other Nations in opposition to so violent an attack on the rights of Commercial Countries and so manifest a violation of International Law."[5] This

Cowley to Russell, July 29, 1861. Russell Papers. Cowley to Russell, July 19, 1861. *Ibid.*, Cowley to Russell, July 28, 1861. It is interesting that the promise of France to support England in remonstrance against the "Southern Ports Bill" appears, through Cowley's communications, in the printed Parliamentary Papers. A study of these alone would lead to the judgment that France *had been the first* to raise the question with England and had heartily supported England. The facts were otherwise, though Mercier, without exact instructions from Thouvenel, aided Lyons in argument with Seward (*Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 68. Lyons to Russell, July 20, 1861).

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 61.

[2] Russell Papers. Lyons to Russell, July 16, 1861.

[3] Schleiden reported Seward as objecting to the Bill and Sumner as "vainly opposing" it. Sumner had in fact spoken publicly in favour of the measure. Probably he told Schleiden that privately he was against it. Schleiden reported Sumner as active in urging the Cabinet not to issue a Proclamation closing the ports (Schleiden Papers. Schleiden to Senate of Bremen, July 10 and 19, 1861). Mercier later informed Thouvenel that Sumner declared the Bill intended for the Northern public only, to show administration "energy," and that there was never any intention of putting it into effect. F. O., France, 1394. No. 931. Cowley to Russell, Aug. 1, 1861.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." Nos. 70 and 71. Thouvenel did finally consent to support Russell's protest.

[5] F. O., Am., Vol. 755. No. 168.

high tone had been modified possibly by French opposition, possibly by Lyons' early opinion that the Bill would not be made operative. Indeed on July 24 Russell told Lyons that no final instruction of protest would be sent him until the President actually issued a proclamation.[1] Yet in spite of being fairly well assured that there was no danger in the "Southern Ports Bill," Russell did send the instruction of August 8, still distinctly "vigorous" in tone, though with no threat of "reprisals." His reason for doing so is difficult to understand. Certainly he was hardly serious in arguing to Thouvenel that a stiff instruction would strengthen the hands of the "moderate section" of the American Cabinet,[2] or else he strangely misjudged American temperament. Probably a greater reason was his wish to be able to print a Parliamentary Paper indicating the watchful care he was exercising in guarding British interests.

Before Russell's instruction could reach America Seward had voluntarily reassured Lyons as to American intentions. Lyons reported this, privately, on July 20,[3] but on the same day also reported, officially, that two days earlier, that is on the eighteenth, he and Mercier had discussed the 'Southern Ports" Bill and that as a result Mercier had then gone, that same day, to Seward to state that France must regard such a measure as merely a paper blockade.[4] "We were not very sanguine of success," wrote Lyons, but Seward "had listened to him [Mercier] with calmness," and personally seemed disinclined to issue the required Proclamation. This despatch, making it appear that Eng-

[1] F. O., Am., Vol. 756.

[2] F. O., France, Vol. 1395. No. 967. Cowley to Russell, Aug. 8, 1861.

[3] Russell Papers. Lyons to Russell.

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 68. Lyons to Russell, July 20, 1861. Enclosed was a copy of the six lines of Thouvenel's "instruction" to Mercier, dated July 4, the very brevity of which shows that this was in fact no instruction at all, but merely a comment by Thouvenel to Mercier.

land and France were in close harmony and that Lyons and Mercier were having a difficult time at Washington was printed, later, in the Parliamentary Papers. It was received by Russell on August 5, and in spite of the reassurances of Lyons' private letter (naturally not for printing) presumably received in the same mail with the official despatch, it furnished the basis of his "strong" instruction of August 8.

At Washington also there were indications of an effort to prepare a good case for the British public and Parliament: July 23, so Lyons wrote privately, Seward had prevented the issue of the "Southern Ports" Proclamation,[1] and on the next day he was shown by Seward, confidentially, an instruction to Adams and other Ministers abroad in which was maintained the right to close the ports by proclamation, but stating the Government's decision not to exercise the right. Lyons believed this was the end of the matter.[2] Yet on August 12, he presented himself formally at the Department of State and stated that he had instructions to declare that "Her Majesty's Government would consider a decree closing the ports of the South actually in possession of the insurgent or Confederate States as null and void, and that they would not submit to measures taken on the high seas in pursuance of such decree." . . . "Mr. Seward thanked me for the consideration I had shown; and begged me to confine myself for the present to the verbal announcement I had just made. He said it would be difficult for me to draw up a written communication which would not have the air of a threat." To this Lyons agreed.[3]

This permitted a warmth-creating impression to Englishmen of the "forthright yet friendly" tone of British

[1] Russell Papers. Lyons to Russell, July 30, 1861.

[2] *Ibid.* Lyons to Russell, August 1, 1861.

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 81. Lyons to Russell, Aug. 12, 1861.

diplomats when dealing with Seward. So also did Russell's instruction of August 8, not yet received by Lyons when he took the stage at Washington. Yet there is a possibility that Lyons was in fact merely playing his part as Seward had asked him to play it. On the next day, August 13, he acknowledged the receipt of Russell's communication of July 24, in which it was stated that while Great Britain could not acquiesce in the "Southern Ports" Bill *no final instructions* would be sent until Lincoln issued a Proclamation. Lyons now explained, "As Mr. Seward is undoubtedly at this moment opposed to closing the Ports, I have thought it wiser to be guided by him for the present as to the mode of communicating your decision about the matter."[1] Is it possible that Seward really wished to have a "strong," yet not "too strong" statement from Lyons in order to combat the advocates of the "Ports" Bill? There are many ramifications of diplomatic policy—especially in a popular government. At any rate on August 16 Lyons could assure Russell that there "was no question now of issuing the Proclamation."[2] And on the nineteenth could write officially that a Proclamation based on the Bill had indeed been issued, but without the objectionable fourth section.[3]

The whole affair of the "Southern Ports" Bill occupies more space in the British Parliamentary Papers, and excited more attention from the British Government than it would seem to have merited from the Washington attitude toward it. The Bill had been drawn by the Secretary of the Treasury, and its other sections related to methods of meeting a situation where former customs houses and places for the collection of import duties were now in the hands of the Confederacy. The fourth section alone

[1] Russell Papers. Lyons to Russell. Private. Aug. 13, 1861.
[2] *Ibid.* Russell Papers.
[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 83.

implied a purpose to declare a paper blockade. The idea of proclaiming closed the Southern ports may have at first received the sanction of Seward as consistent with his denial of the existence of a war; or it may have been a part of his "high tone" foreign policy,[1] but the more reasonable supposition is that the Bill was merely one of many ill-considered measures put forth in the first months of the war by the North in its spasm of energy seeking to use every and any public means to attack the South. But the interest attached to the measure in this work is the British attitude. There can be no doubt that Russell, in presenting papers to Parliament was desirous of making clear two points: first, the close harmony with France—which in fact was not so close as was made to appear; second, the care and vigour of the Foreign Secretary in guarding British interests. Now in fact British trade was destined to be badly hurt by the blockade, but as yet had not been greatly hampered. Nor did Russell yet think an effective blockade feasible. Writing to Lyons a week after his official protest on the "Southern Ports" Bill, he expressed the opinion that a "*regular* blockade" could not possibly prevent trade with the South:

> "If our ships can go in ballast for cotton to the Southern Ports it will be well, but if this cannot be done by agreement there will be surely, in the extent of 3,000 miles, creeks and bays out of which small vessels may come, and run for Jamaica or the Bahamas where the cargoes might be transhipped. But it is not for Downing Street to suggest such plans to Cheapside and Tooley Street."[2]

[1] Lyons thought this possible. Russell Papers. Lyons to Russell. Private. July 20, 1861.

[2] Lyons Papers. Russell to Lyons. Private. Aug. 16, 1861. And again he wrote the next day, "To prevent smuggling over 3,000 miles of coast and 1,500 miles of land frontier seems to me impossible" (*Ibid.*, Aug. 17, 1861). Russell had received some two weeks earlier, a letter from Bunch at Charleston, urging that England make no objection to the blockade in order that the South might be taught the lesson that "King Cotton," was not, after all, powerful enough to compel British recognition and support. He stated that Southerners, angry at the failure to secure

A better knowledge of American geography would have made clear to Russell that if but seven Southern ports were effectively blockaded the remaining 2,550 miles of coast line would be useless for the export of cotton in any considerable amount. His bays and creeks did indeed long provide access to small vessels, but these were not adequate for the transport of a bulky export like cotton.[1] To Russell, however, the blockade appearing negligible in probable effect and also not open to objection by neutrals if regularly established, it seemed that any immediate danger to British trade was averted by the final American action on the "Southern Ports" Bill. It was not until the blockade did begin to be thoroughly effective that either the British public or Government gave it serious consideration.

Not again until late November did Russell return with any interest to the subject of the blockade and then it was again on an American effort which seemed to indicate the ineffectiveness of blockading squadrons and a plan to remedy this by unusual, even "uncivilized," if not illegal, methods. This was the "Stone Boat Fleet" plan of blocking Charleston harbour by sinking vessels across the entrance bar.[2] The plan was reported by Lyons and the news received in England at the most uncertain moment as to the outcome of the *Trent* controversy.[3] British press and

recognition, were loudly proclaiming that they both could and would humble and embarrass Great Britain (F. O., Am., Vol. 781. No. 82. Bunch to Russell, July 8, 1861). Bunch wrote on July 23 that the South planned to hold back its cotton until Great Britain and France raised the blockade (*Ibid.* No. 87). Bunch was now impressed with Southern determination.

[1] The seven ports were Norfolk (Virginia), Wilmington (North Carolina), Charleston (South Carolina), Savannah (Georgia), Mobile (Alabama), New Orleans (Louisiana), and Galveston (Texas).

[2] The first important reference to the blockade after mid-August, 1861, is in an order to Bunch, conveyed through Lyons, not to give advice to British merchants in Charleston as to blockade runners that had gotten into port having any "right" to go out again (F. O., Am., Vol. 757. No. 402. Russell to Lyons, Nov. 8, 1861).

[3] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 125. Lyons to Russell, Nov. 25, 1861. Received Dec. 9.

Government at first placed no stress on it, presumably because of the feeling that in view of the existing crisis it was a minor matter. In the same week Lyons, having been asked by Russell for an opinion on the blockade, answered:

> "I am a good deal puzzled as to how I ought to answer your question whether I consider the Blockade effective. It is certainly by no means strict or vigorous along the immense extent of coast to which it is supposed to apply. I suppose the ships which run it successfully both in and out are more numerous than those which are intercepted. On the other hand it is very far from being a mere Paper Blockade. A great many vessels are captured; it is a most serious interruption to Trade; and if it were as ineffective as Mr. Jefferson Davis says in his Message, he would not be so very anxious to get rid of it."[1]

This was a very fair description of the blockade situation. Lyons, unaffected by irritations resulting from the *Trent*, showed the frame of mind of a "determined neutral," as he was fond of describing himself. His answer was the first given to Russell indicating a possibility that the blockade might, after all, become strictly effective and thus exceedingly harmful to British trade. There is no direct *proof* that this influenced Russell to denounce the plan of blocking Southern harbours with stone-laden boats sunk in the channel, but the existence of such a motive seems probable. Moreover his protest was not made until December 20, the *day after* he had learned officially from Adams that Wilkes was unauthorized in searching the *Trent*—a day on which strain and uncertainty regarding American intentions were greatly lessened. Russell then wrote to Lyons that he observed it to be stated, "apparently on good authority," that the declared purpose of the stone boat fleet was "of destroying these harbours for

[1] Russell Papers. Lyons to Russell, Nov. 29, 1861.

ever." He characterized this as implying "utter despair of the restoration of the Union," and as being only "a measure of revenge and irremediable injury against an enemy."

> "But even in this view, as a scheme of embittered and sanguinary war, such a measure is not justifiable. It is a plot against the commerce of nations and the free intercourse of the Southern States of America with the civilized world. It is a project worthy only of times of barbarism."

Lyons was instructed to speak in this sense to Seward, who, it was hoped, would disavow the project.[1]

There was nothing in Lyons' despatches, nor in the American newspaper extracts accompanying them, to warrant such accusation and expostulation. Lyons had merely commented that by some in America the project had been characterized as "odious and barbarous," adding, "The question seems to depend on the extent to which the harbours will be permanently injured."[2] It will be noted that Russell did not refer to information received from Lyons (though it was already in hand), but to "apparently good authority" in justification of his vigorous denunciation. But like vigour, and like characterization of American "barbarism" did not appear in the British press until after the news arrived of the release of Mason and Slidell. Then the storm broke, well summed up in the Punch cartoon entitled "Retrogression. (A Very Sad Picture.) War Dance of the I. O. U. Indian," and showing Uncle Sam in war-feathers and with war-club, in his hand a flag made of the *New York Herald*, dancing in glee on the shores of a deserted harbour across which stretched a row of sunken ships.[3]

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 127.

[2] *Ibid.* No. 126. Lyons to Russell, Nov. 29, 1861. Received Dec. 12.

[3] *Punch*, Feb. 1, 1862.

On January 13 the Liverpool Shipowners' Association called the attention of the Foreign Office to the news that Charleston harbour had been closed by stone boats and urged governmental remonstrance.[1] Hammond at once replied quoting the language of Russell's letter of December 20 and stating that further representations would be made.[2] On the sixteenth Russell again instructed Lyons to speak to Seward, but now was much less rasping in language, arguing, rather, the injury in the future to the United States itself in case the harbours were permanently destroyed since ". . . the object of war is peace, and the purposes of peace are mutual good-will and advantageous commercial intercourse."[3] To-day it seems absurd that any save the most ignorant observer should have thought the North contemplated a permanent and revengeful destruction of Southern port facilities. Nor was there any just ground for such an extreme British view of the Northern plan. Yet even Robert Browning was affected by the popular outcry. "For what will you do," he wrote Story, "if Charleston becomes loyal again?"[4] a query expressive of the increasing English concern, even alarm, at the intense bitterness, indicating a long war, of the American belligerents. How absurd, not to say ridiculous, was this British concern at an American "lapse toward barbarism" was soon made evident. On January 11 Lyons, acting on the instructions of December 20, brought up the matter with Seward and was promptly assured that there was no plan whatever "to injure the harbours permanently." Seward stated that there had never been any plan, even, to sink boats in the main entrance channels, but merely the lesser channels, because the Secretary of

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 141.

[2] *Ibid.* No. 142. Jan. 15, 1861.

[3] *Ibid.* No. 143.

[4] James, *W. W. Story*, II, p. 111, Jan. 21, 1862.

the Navy had reported that with the blockading fleet he could "stop up the 'large holes,'" but "could not stop up the 'small ones.'" Seward assured Lyons that just as soon as the Union was restored all obstructions would be removed, and he added that the best proof that the entrance to Charleston harbour had not been destroyed was the fact that in spite of blockading vessels and stone boats "a British steamer laden with contraband of war had just succeeded in getting in."[1] Again, on February 10, this time following Russell's instruction of January 16, Lyons approached Seward and was told that he might inform Russell that "all the vessels laden with stone, which had been prepared for obstructing the harbours, had been already sunk, and that it is not likely that any others will be used for that purpose."[2] This was no yielding to Great Britain, nor even an answer to Russell's accusation of barbarity. The fact was that the plan of obstruction of harbours, extending even to placing a complete barrier, had been undertaken by the Navy with little expectation of success, and, on the first appearance of new channels made by the wash of waters, was soon abandoned.[3]

The British outcry, Russell's assumption in protest that America was conducting war with barbarity, and the protest itself, may seem at first glance to have been merely manifestations of a British tendency to meddle, as a "superior nation" in the affairs of other states and to give unasked-for advice. A hectoring of peoples whose civilization was presumably less advanced than that which stamped the

[1] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Correspondence on Civil War in the United States." No. 153. Lyons to Russell, Jan. 14, 1862. Received Jan. 27.

[2] *Ibid.*, *Lords*, Vol. XXV. "Despatch from Lord Lyons respecting the Obstruction of the Southern Harbours." Lyons to Russell, Feb. 11, 1862. Received Feb. 24.

[3] Thompson and Wainwright, *Confidential Correspondence of G. V. Fox, Assistant Secretary of the Navy*, 1861-65, I, p. 79. Du Pont to Fox, Dec. 16, 1861. Hereafter cited as *Fox, Confid. Corresp.* This letter shows clearly also that the Navy had no thought of a *permanent* obstruction.

Englishman was, according to Matthew Arnold, traditional—was a characteristic of British public and Government alike.[1] But this is scarcely a satisfactory explanation in the present case. For in the first place it is to be remarked that the sinking of obstructions in an enemy's harbours in order to render more effective a blockade was no novelty in maritime warfare, as Russell must have well known, and that there was no modern record of such obstructions having permanently destroyed a harbour. A far more reasonable explanation is that which connects the energy of the British Government in opposing a proposed American closing of Southern harbours by Presidential proclamation, with a like energy against the stone boat project. The first method was indeed rightly regarded as a violation of accustomed maritime belligerency, but both methods were primarily objectionable in British eyes because they were very evidently the result of efforts to find a way in which an as yet ineffective blockade could be made more rigorous. On the impossibility of an effective blockade, if conducted on customary lines, the British people and Foreign Secretary had pinned their faith that there would be no serious interruption of trade. This was still the view in January, 1862, though doubts were arising, and the "stone boat" protest must be regarded as another evidence of watchful guardianship of commerce with the South. The very thought that the blockade might become effective, in which case all precedent would demand respect for it, possibly caused Russell to use a tone not customary with him in upbraiding the North for a planned "barbarity."

Within three months the blockade and its effectiveness was to be made the subject of the first serious parliamentary discussion on the Civil War in America. In another three months the Government began to feel a pressure from its associate in "joint attitude," France, to examine again

[1] *Vide* Arnold, *Friendship's Garland.*

with much care its asserted policy of strict neutrality, and this because of the increased effectiveness of the blockade. Meanwhile another "American question" was serving to cool somewhat British eagerness to go hand in hand with France. For nearly forty years since independence from Spain the Mexican Republic had offered a thorny problem to European nations since it was difficult, in the face of the American Monroe Doctrine, to put sufficient pressure upon her for the satisfaction of the just claims of foreign creditors. In 1860 measures were being prepared by France, Great Britain and Spain to act jointly in the matter of Mexican debts. Commenting on these measures, President Buchanan in his annual message to Congress of December 3, 1860, had sounded a note of warning to Europe indicating that American principles would compel the use of force in aid of Mexico if debt-collecting efforts were made the excuse for a plan "to deprive our neighbouring Republic of portions of her territory." But this was at the moment of the break-up of the Union and attracted little attention in the United States. For the same reason, no longer fearing an American block to these plans, the three European Governments, after their invitation to the United States to join them had been refused, signed a convention, October 31, 1861, to force a payment of debts by Mexico. They pledged themselves, however, to seek no accession of territory and not to interfere in the internal affairs of Mexico.

In this pledge Great Britain and Spain were sincere. Napoleon III was not—was indeed pursuing a policy not at first understood even by his Ministers.[1] A joint expedition under the leadership of the Spanish General Prim was despatched, and once in Mexico took possession of customs houses and began to collect duties. It soon became evident

[1] Thouvenel, *Le Secret de l'Empereur*, II, 249. Thouvenel could mistakenly write to Mercier on March 13, 1862. "Nous ne voulons pas cependant imposer une forme de gouvernement aux Mexicains . . ."

to the British and Spanish agents on the spot that France had far other objects than the mere satisfaction of debts. The result was a clash of interests, followed by separate agreements with Mexico and the withdrawal of forces by Great Britain and Spain. This difference of view on Mexican policy had become clear to Cowley, British Ambassador at Paris, by January, 1862, and from that month until the end of March his private letters to Russell referring to American affairs in general are almost wholly concerned with French designs on Mexico. Cowley learned that earlier rumours of Napoleon's purpose to place the Archduke Maximilian of Austria upon the *Throne* of Mexico, far from being unfounded, were but faint indications of a great French " colonial Empire " scheme, and he thought that there was " some ill-will to the United States at the bottom of all this. . . ."[1] He feared that the Mexican question would " give us a deal of trouble yet,"[2] and by March was writing of the " monstrous claims on the Mexican Govt." made by France.[3]

These reactions of Cowley were fully shared by Russell, and he hastened, in March, to withdraw British forces in Mexico, as also did Spain. Great Britain believed that she had been tricked into a false position in Mexico, hastened to escape from it, but in view of the close relation of joint policy with France toward the Civil War in America, undertook no direct opposition though prophesying an evil result. This situation required France to refrain, for a time, from criticism of British policy and action toward the North—to pursue, in brief, a " follow on " policy, rather than one based on its own initiative. On the British side

[1] Russell Papers. Cowley to Russell. Private. Jan. 17, 1862. On this same date Thouvenel, writing to Flahault in London, hoped England would feel that she had a common interest with France in preventing Mexico from falling under the yoke of Americans either " unis ou sécédés." (Thouvenel, *Le Secret de l'Empereur*, II, 226).

[2] *Ibid.*, Jan. 24, 1862.

[3] *Ibid.*, March 6, 1862.

the French Mexican policy created a suspicion of Napoleon's hidden purposes and objects in the Civil War and made the British Government slow to accept French suggestions. The result was that in relation to that war Great Britain set the pace and France had to keep step—a very advantageous situation for the North, as the event was to prove. On the purely Mexican question Lyons early took opportunity to assure Seward that Great Britain was "entirely averse to any interference in the internal affairs of Mexico, and that nothing could be further from their wishes than to impose upon the Mexican Nation any Government not of its own choice.[1]

British dislike of France's Mexican venture served to

[1] F. O., Am., Vol. 825. No. 146. Lyons to Russell, Feb. 28, 1862. The fact that Slidell arrived in France just as Napoleon's plans for Mexico took clearer form has been made the ground for assumptions that he immediately gave assurance of Southern acquiescence and encouraged Napoleon to go forward. I have found no good evidence of this—rather the contrary. The whole plan was clear to Cowley by mid-January before Slidell reached Paris, and Slidell's own correspondence shows no early push on Mexico. The Confederate agents' correspondence, both official and private, will be much used later in this work and here requires explanation. But four historical works of importance deal with it extensively. (1) Richardson, *Messages and Papers of the Confederacy*, 2 vols., 1905, purports to include the despatches of Mason and Slidell to Richmond, but is very unsatisfactory. Important despatches are missing, and elisions sometimes occur without indication. (2) Virginia Mason, *The Public Life and Diplomatic Correspondence of James M. Mason*, 1906, contains most of Mason's despatches, including some not given by Richardson. The author also used the *Mason Papers* (see below). (3) Callahan, *The Diplomatic History of the Southern Confederacy*, 1901, is the most complete and authoritative work on Southern diplomacy yet published. He used the collection known as the "Pickett Papers," for official despatches, supplementing these when gaps occurred by a study of the *Mason Papers*, but his work, narrative in form, permits no extended printing of documents. (4) L. M. Sears, *A Confederate Diplomat at the Court of Napoleon III*. (Am. Hist. Rev. Jan., 1921), is a study drawn from Slidell's private letters in the *Mason Papers*. The Mason Papers exist in eight folios or packages in the Manuscript Division of the Library of Congress, and in addition there is one bound volume of Mason's despatches to Richmond. These contain the private correspondence of Mason and Slidell while in Europe. Slidell's letters are originals. Mason's letters are copies in Slidell's hand-writing, made apparently at Mason's request and sent to him in May, 1865. A complete typed copy of this correspondence was taken by me in 1913, but this has not hitherto been used save in a manuscript Master's degree thesis by Walter M. Case, "James M. Mason, Confederate Diplomat," Stanford University, 1915, and for a few citations by C. F. Adams, *A Crisis in Downing Street* (Mass. Hist. Soc. *Proceedings*, May, 1914). The Mason Papers also contain many letters from Mason's English friends, Spence, Lindsay, Gregory and others.

swell the breeze of amity toward America that had sprung up once the *Trent* was beyond the horizon, and made, temporarily, for smooth sailing in the relations of Great Britain and the North. Lyons wrote on February 7 that the "present notion appears to be to overwhelm us with demonstrations of friendship and confidence."[1] Adams' son in London thought "our work here is past its crisis," and that, "Our victory is won on this side the water,"[2] while the American Minister himself believed that "the prospect of interference with us is growing more and more remote."[3] Russell also was optimistic, writing to Lyons, "Our relations have now got into a very smooth groove. . . . There is no longer any excitement here upon the question of America. I fear Europe is going to supplant the affairs of America as an exciting topic,"[4] meaning, presumably, disturbances arising in Italy. On April 4 Adams described his diplomatic duties as "almost in a state of profound calm."[5]

This quiet in relation to America is evidence that no matter what anxiety was felt by British statesmen over the effects of the blockade there was as yet no inclination seriously to question its legality. That there was, nevertheless, real anxiety is shown by an urgent letter from Westbury to Palmerston upon the blockade, asserting that if cotton brought but four pence at Charleston and thirteen pence at Liverpool there must be some truth in its alleged effectiveness:

> "I am greatly opposed to any violent interference. Do not let us give the Federal States any pretence for saying that they failed thro' our interference. . . . Patience for

[1] Russell Papers. To Russell. Lyons thought France also included in these demonstrations.

[2] *A Cycle of Adams' Letters*, I, 113. Henry Adams to Charles Francis Adams, Jr., Feb. 14, 1862.

[3] *Ibid.*, p. 115. To his son, Feb. 21, 1862.

[4] Lyons Papers. March 1, 1862.

[5] *A Cycle of Adams' Letters*, I, 123. To his son.

KING COTTON BOUND:

Or, The Modern Prometheus.

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a few more weeks is I am satisfied the wiser and the more expedient policy."[1]

This would indicate some Cabinet discussion, at least, on the blockade and on British trade interests. But Westbury's "few more weeks" had no place in Russell's thought, for on February 15 he wrote to Lyons in regard to assertions being made that the blockade was ineffective because certain vessels had eluded it:

> "Her Majesty's Government, however, are of opinion that, assuming that the blockade is duly notified, and also that a number of ships is stationed and remains at the entrance of a port, sufficient really to prevent access to it or to create an evident danger of entering or leaving it, and that these ships do not voluntarily permit ingress or egress, the fact that various ships may have successfully escaped through it (as in the particular instances here referred to) will not of itself prevent the blockade from being an effective one by international law." [2]

From this view Russell never departed in official instructions.[3] England's position as the leading maritime Power made it inevitable that she should promptly approve the Northern blockade effort and be cautious in criticizing its legitimate operation. Both her own history and probable future interests when a belligerent, required such a policy far more important in the eyes of statesmen than any temporary injury to British commerce. English merchants, if determined to trade with the South, must take their own risks, and that Russell believed they would do so is evidenced by his comment to Adams that it was a tradition of the sea that Englishmen "would, if money were to be made by it, send supplies even to hell at the risk of burning their sails."

[1] Palmerston MS. Feb. 9, 1862.

[2] Bernard, p. 245. The author agrees with Russell but adds that Great Britain, in the early stages of the blockade, was indulgent to the North, and rightly so considering the difficulties of instituting it.

[3] He wrote to Mason on February 10, 1863, that he saw "no reason to qualify the language employed in my despatch to Lord Lyons of the 15th of February last." (Bernard, p. 293).

But trade problems with the South soon brought real pressure on the Government. In January, while marking time until Mason should arrive at his post, the Confederate commissioners already in London very nearly took a step that might have prejudiced the new envoy's position. They had now learned through public documents that Russell had informed Adams he " had no intention of seeing them again." Very angry they planned a formal protest to the British Government, but in the end Mann and Rost counselled silence, outvoting Yancey.[1] On his arrival Mason ignored this situation and with cause for, warmly received socially in pro-Southern circles, he felt confident that at least a private reception would soon be given him by Russell. He became, indeed, somewhat of a social lion, and mistaking this personal popularity for evidence of parliamentary, if not governmental, attitude, was confident of quick advantages for the South. On the day after his arrival he wrote unofficially to Hunter, Confederate Secretary of State ". . . although the Ministry may hang back in regard to the blockade and recognition through the Queen's speech, at the opening of Parliament next week the popular voice through the House of Commons will demand both." . . . " I shall be disappointed if the Parliament does not insist on definite action by the Ministry. . . ."[2]

Carefully considering the situation and taking the advice of many English friends, Mason and Slidell agreed that the best line to take was to lay aside for the moment the claim to recognition and to urge European repudiation of the blockade. Slidell, arrived in Paris, wrote Mason that in his coming interview with Thouvenel he should " make only a passing allusion to the question of recognition, intimating that on that point I am not disposed at present

[1] Richardson, *Messages and Papers of the Confederacy*, II, p. 155. Yancey and Mann to Hunter, Jan. 27, 1862.
[2] Mason, *Mason*, pp. 257-8, Jan. 30, 1862.

to press consideration. But I shall insist upon the inefficiency of the blockade, the ' vandalism of the stone fleet,' etc."[1] Mason was urged to take a like course with Russell. Both men were much excited by a document a copy of which had been secured by Mann purporting to be a " confidential memorandum " addressed by England to the Continental Powers, asking whether the time had not come to raise the blockade. No such memorandum existed, but Slidell and Mason believed it genuine.[2] They had great hopes of the opening of Parliament, but when that event took place, February 6, and the only references in debate were to the *Trent* and its fortunate outcome, Mason was puzzled and chagrined. He wrote : " It is thought that silence as to the blockade was intended to leave that question open."[3] This, no doubt, was the consolatory explanation of his friends, but the unofficial interview with Russell, at his home, on February 10, chilled Mason's hopes.

As agreed with Slidell, emphasis in this interview was laid by Mason on the blockade, though recognition was asked. His report to Richmond shows that he proceeded with great caution, omitting portions of his instructions on cotton for fear of arousing antagonism, and venturing only a slight departure by expressing the hope that if Great Britain wished to renew communication with the Confederacy it might be made through him, rather than through the British consuls at the South. Russell's " only reply was, he hoped I might find my residence in London agreeable." He refused to see Mason's credentials, stating this to be " unnecessary, our relations being unofficial." He listened with courtesy, asked a few questions, but " seemed utterly

[1] Mason Papers. Feb. 5, 1862.

[2] Mann sent this " confidential memorandum " to Jefferson Davis, Feb. 1, 1862 (Richardson, II, 160). There is no indication of how he obtained it. It was a fake pure and simple. To his astonishment Slidell soon learned from Thouvenel that France knew nothing of such a memorandum. It was probably sold to Mann by some enterprising " Southern friend " in need of money.

[3] Mason, *Mason*, p. 258. Mason to Hunter, Feb. 7, 1862.

disinclined to enter into conversation at all as to the policy of his Government, and only said, in substance, they must await events." Certainly it was a cool reception, and Mason departed with the conviction that Russell's " personal sympathies were not with us, and his policy inaction."[1] But Mason still counted on parliamentary pressure on the Government, and he was further encouraged in this view by a letter from Spence, at Liverpool, stating that he had just received a request to come to London " from a government quarter, of all the *most important.*"[2]

The summons of Spence to London shows that the Government itself feared somewhat a pro-Southern move in Parliament. He reported to Mason that interviews had taken place with Palmerston and with Russell, that he had unfortunately missed one with Gladstone, and, while not citing these men directly, declared the general " London idea " to be that of " postponement " ; since it was inevitable that " the North will break down in a few months on the score of money," and that " We have only to wait three months." Evidently Spence believed he was being used as an intermediary and influential adviser in pro-Southern circles to persuade them to a period of quiet.

[1] *Ibid.*, pp. 260-62. Mason's despatch No. 4. Feb. 22, 1862. (This despatch is not given by Richardson.) Slidell was more warmly received by Thouvenel. He followed the same line of argument and apparently made a favourable impression. Cowley reported Thouvenel, after the interview, as expressing himself as " hoping that in two or three months matters would have reached such a crisis in America that both parties would be willing to accept a Mediation. . . ."
(F. O., France., Vol. 1432. No. 132. Confidential. Cowley to Russell, Feb. 10, 1862.)

[2] Mason Papers. Spence to Mason, Feb. 13, 1862. This was that James Spence, author of *The American Union*, a work strongly espousing the Southern cause. This book was not only widely read in England but portions of it were translated into other languages for use on the Continent. Spence was a manufacturer and trader and also operated in the Liverpool Cotton Exchange. He made a strong impression on Mason, was early active in planning and administering Southern cotton loans in England, and was in constant touch with Mason. By Slidell he was much less favourably regarded and the impression created by his frequent letters to Mason is that of a man of second-rate calibre elated by the prominent part he seemed to be playing in what he took to be the birth of a new State.

This, he thought, was unwise since delay would be injurious.[1] Of like opinion were the two Members of Parliament who were, throughout Mason's career in England, to be his closest advisers. These were Gregory and Lindsay, the former possessing somewhat of a following in the "gentleman-ruler" class, the latter the largest shipowner in Great Britain. Their advice also was to press on the blockade question,[2] as a matter of primary British commercial interest, and they believed that France was eager to follow a British lead. This was contrary to Slidell's notion at the moment, but of this Mason was unaware.[3]

The Government did indeed feel compelled to lay before Parliament the papers on the blockade. This was a bulky document of one hundred and twenty-six pages and covered the period from May 3, 1861, to February 17, 1862. In it were the details of the institution of the blockade, reports from British consuls on its effectiveness, lists of vessels captured and of vessels evading it, all together furnishing a very complete view of this, the principal maritime belligerent effort of the North.[4] The Blockade Papers gave opportunity for debate, if desired, and especially so as almost at the end of this document appeared that instruction of February 15 by Russell to Lyons, which clearly stated British acceptance of the blockade as effective. Mason's interview with Russell occurred on the tenth. Five days later, after Spence had been urged vainly to use his influence for "postponement," Russell, so it must appear, gave challenge to pro-Southern sentiment by asserting the effectiveness of the blockade, a challenge almost immediately made known to Parliament by the presentation of papers.

[1] *Ibid.* Spence to Mason, Feb. 20, 1862.

[2] Mason, *Mason*, p. 258.

[3] Slidell in France at first took the tack of urging that Continental interests and British interests in the blockade were "directly antagonistic," basing his argument on England's forward look as a sea power (Slidell to Hunter, Feb. 26, 1862. Richardson, II, p. 186).

[4] *Parliamentary Papers*, 1862, *Lords*, Vol. XXV. "Papers relating to the Blockade."

Unless Southern sympathizers were meekly to acquiesce, without further protest, in governmental policy they must now make some decided effort. This came in the shape of a debate in the Commons, on March 7, of a motion by Gregory urging the Government to declare the blockade ineffective,[1] and of a similar debate on March 10 in the Lords. As is inevitable where many speakers participate in a debate the arguments advanced were repeated and reiterated. In the Commons important speeches for the motion were made by Gregory, Bentinck, Sir James Ferguson, Lord Robert Cecil and Lindsay, while against it appeared Forster and Monckton Milnes. The Solicitor-General, Roundell Palmer, presented the Government view. Gregory opened the debate by seeking to make clear that while himself favourable to recognition of the South the present motion had no essential bearing on that question and was directed wholly to a *fact*—that the blockade was not in reality effective and should not be recognized as such. He presented and analysed statistics to prove the frequency with which vessels passed through the blockade, using the summaries given by Mason to Russell in their interview of February 10, which were now before Parliament in the document on the blockade just presented, and he cited the reports of Bunch at Charleston as further evidence. This was the burden of Gregory's argument,[2] but he glanced in passing at many

[1] Hansard, 3rd. Ser., CLXV, pp. 1158-1230, and pp. 1233-43.

[2] Mason's authenticated statistics, unfortunately for his cause, only came down to Oct. 31, 1861, a fact which might imply that after that date the blockade was rapidly becoming effective and which certainly did indicate that it was at least sufficiently effective to prevent regular and frequent communications between the government at Richmond and its agents abroad. Did Russell have this in mind when he promptly incorporated Mason's figures in the papers presented to Parliament? These figures showed that according to reports from four Southern ports, sixty vessels had entered and cleared between April 29 and October 31, 1861; unauthenticated statistics extending to the date December 31, presented by Mason of vessels arrived at and departing from Cuban ports showed forty-eight vessels, each way engaged in blockade running. Seven of these were listed as "captured." Those reaching Cuba were described as twenty-six British, 14 Confederate, 3 Spanish, 3 American and 2 Mexican, but in none of these statistics were the names of the vessels given, for

other points favourable to the South, commenting on its free trade principles, depicting the "Stone Fleet" as a barbarity, asserting the right of the South to secede, declaring that France regarded British attitude as determined by a selfish policy looking to future wars, and attacking Seward on the ground of American inconsistency, falsely paraphrasing him as stating that "as for all those principles of international law, which we have ever upheld, they are as but dust in the balance compared with the exigencies of the moment."[1] Gregory concluded with the statement that the United States should be treated "with justice and nothing more."

When presenting a cause in Parliament its advocates should agree on a line of argument. The whole theory of this movement on the blockade was that it was wise to minimize the question of recognition, and Gregory had laboured to prove that this was not related to a refusal longer to recognize the blockade. But Bentinck, the second speaker for the motion, promptly undid him for he unhappily

obvious reasons, in the printed paper though apparently included in the list submitted by Mason. These figures did in fact but reveal a situation existing even after 1861. The American blockading fleets had to be created from all sorts of available material and were slow in getting under way. Regular ships of the old Navy could not enforce it being too few in number, and also, at first, directing their efforts to the capture of shore positions which would render a large blockading squadron unnecessary. This proved an abortive effort and it was not until 1862 that the development of a large fleet of blockaders was seriously undertaken. (See *Fox, Confid. Corresp.*, I, pp. 110, 115, 119 and especially 122, which, May 31, 1862, pays tribute to the energy with which the South for "thirteen long months" had defended its important port shore lines.) If Gregory had been able to quote a report by Bunch from Charleston of April 5, 1862, he would have had a strong argument. "The blockade runners are doing a great business. . . . Everything is brought in in abundance. Not a day passes without an arrival or a departure. The Richmond Government sent about a month ago an order to Nassau for Medicines, Quinine, etc. It went from Nassau to New York, was executed there, came back to Nassau, thence here, and was on its way to Richmond in 21 days from the date of the order. Nearly all the trade is under the British flag. The vessels are all changed in Nassau and Havana. Passengers come and go freely and no one seems to think that there is the slightest risk—which, indeed, there is not" (Lyons Papers. Bunch to Lyons, April 5, 1862).

[1] I have nowhere found any such statement by Seward. Gregory's reference is to a note from Seward to Lyons of May 27, 1861, printed in the Blockade Papers. This merely holds that temporary absence of blockading ships does not impair the blockade nor render "necessary a new notice of its existence."

admitted that recognition and blockade questions were so closely interwoven that they could not be considered separately. This was promptly seized upon by Forster, who led in opposition. Forster's main argument, however, was a very able tearing to pieces of Gregory's figures, showing that nearly all the alleged blockade runners were in reality merely small coasting steamers, which, by use of shallow inner channels, could creep along the shore and then make a dash for the West Indies. The effectiveness of the blockade of main ports for ocean-going vessels carrying bulky cargoes was proved, he declared, by the price of raw cotton in England, where it was 100 per cent. greater than in the South, and of salt in Charleston, where the importer could make a profit of 1,000 per cent. To raise the blockade, he argued, would be a direct violation by Britain of her neutrality. The real reason for this motion was not the *ineffectiveness* of the blockade, but the effectiveness, and the real object an English object, not a Southern one. Gregory was taunted for changing a motion to recognize the Confederacy into the present one because he knew the former would fail while the present motion was deceitfully intended to secure the same end. Forster strongly approved the conduct of the Government in preserving strict neutrality, alleging that any other conduct would have meant "a war in which she [England] would have had to fight for slavery against her kinsmen."

Gregory's speech was cautious and attempted to preserve a judicial tone of argument on fact. Forster's reads like that of one who knows his cause already won. Gregory's had no fire in it and was characterized by Henry Adams, an interested auditor, as "listened to as you would listen to a funeral eulogy." . . . "The blockade is now universally acknowledged to be unobjectionable."[1] This estimate is

[1] *A Cycle of Adams' Letters*, I, pp. 119-20. Henry Adams to Charles Francis Adams, Jr., March 15, 1862.

borne out by the speech for the Government by the Solicitor-General, who maintained the effectiveness of the blockade and who answered Gregory's argument that recognition was not in question by stating that to refuse longer to recognize the blockade would result in a situation of " armed neutrality "—that is of " unproclaimed war." He pictured the disgust of Europe if England should enter upon such a war in alliance " with a country . . . which is still one of the last strongholds of slavery "—an admission made in the fervour of debate that was dangerous as tending to tie the Government's hands in the future, but which was, no doubt, merely a personal and carelessly ventured view, not a governmentally authorized one. In general the most interesting feature of this debate is the hearty approval given by friends of the North to the Government's entire line of policy and conduct in relation to America. Their play at the moment, feeling insecure as to the fixity of governmental policy, was to approve heartily the neutrality now existing, and to make no criticisms. Later, when more confident of the permanency of British neutrality, they in turn became critics on the score of failure, in specific cases, in neutral duty.

The Solicitor-General's speech showed that there was no hope for the motion unless it could be made a party question. Of that there was no indication, and the motion was withdrawn. Three days later a similar debate in the Lords was of importance only as offering Russell, since he was now a member of the upper chamber, an opportunity to speak for himself. Lord Campbell had disavowed any intention to attack the blockade since Russell, on February 15, had officially approved it, but criticized the sending to Lyons of the despatch itself. Russell upheld the strict legality and effectiveness of the blockade, stated that if England sided with the South in any way the North would appeal to a slave insurrection—the first reference to an idea

which was to play a very important rôle with Russell and others later—and concluded by expressing the opinion that three months would see the end of the struggle on lines of separation, but with some form of union between the two sovereignties.[1] Russell's speech was an unneeded but emphatic negative of the pro-Southern effort.

Clearly Southern sympathizers had committed an error in tactics by pressing for a change of British policy. The rosy hopes of Mason were dashed and the effect of the efforts of his friends was to force the Government to a decided stand when they preferred, as the summons of Spence to conference makes evident, to leave in abeyance for a time any further declaration on the blockade. The refusal of Mason and his Southern friends to wait compelled a governmental decision and the result was Russell's instruction to Lyons of February 15. The effect of the debate on Mason was not to cause distrust of his English advisers, but to convince him that the existing Government was more determined in unfriendliness than he had supposed. Of the blockade he wrote: ". . . no step will be taken by this Government to interfere with it."[2] He thought the military news from America in part responsible as: "The late reverses at Fort Henry and Fort Donelson have had an unfortunate effect upon the minds of our friends

[1] This "three months" statement returned to plague Russell later, British merchants complaining that upon it they had based plans in the belief that the Government had something definite in view. Spence's reference to this "three months" idea, after his conferences in London, would indicate that Russell was merely indulging in a generalization due to the expected financial collapse of the North. The Russian Ambassador in London gave a different interpretation. He wrote that the Northern victories in the West had caused Great Britain to think the time near when the "border states," now tied to the Union by these victories, would lead in a pacification on lines of separation from the Southern slave states. "It is in this sense, and no other that Russell's 'three months' speech in the Lords is to be taken" (Brunow to F. O., March 3-15, 1862. No 33). Brunow does not so state, but his despatch sounds as if this were the result of a talk with Russell. If so, it would indicate an attempt to interpret Lincoln's "border state policy" in a sense that would appear reasonable in the British view that there could be no real hope at Washington of restoring the Union.

[2] Mason, *Mason*, p. 264. Despatch No. 6. March 11, 1862.

here. . . ."[1] Spence was opposed to any further move in Parliament until some more definite push on the Government from France should occur.[2] Slidell, anxiously watching from Paris the effort in England, had now altered his view of policy and was convinced there was no hope in France until England gave the signal. Referring to his previous idea that the Continent could be put in opposition to Great Britain on the blockade he wrote :

> " I then supposed that the influence of the Emperor was such that any view of the question which he might urge on the British Cabinet would be adopted. I have since had reason to change entirely this opinion. I am now satisfied that in all that concerns us the initiative must be taken by England ; that the Emperor sets such value on her good will that he will make any sacrifice of his own opinions and policy to retain it." [3]

On March 28 he repeated this conviction to Mason.[4] It was a correct judgment. Mason was thereby exalted with the knowledge that his was to be the first place in importance in any and all operations intended to secure European support for the Confederacy, but he could not conceal from himself that the first steps undertaken in that direction had been premature. From this first failure dated his fixed belief, no matter what hopes were sometimes expressed later, that only a change of Government in England would help the Southern cause.

[1] *Ibid.*, p. 266. Fort Henry was taken by Grant on February 6 and Fort Donelson on the 15th. The capture of these two places gave an opening for the advance of the Western army southwards into Tennessee and Mississippi.

[2] Mason Papers. Spence to Mason, March 18, 1862.

[3] Richardson, II, 207. Slidell to Hunter, March 26, 1862.

[4] Mason Papers.

CHAPTER IX

ENTER MR. LINDSAY

THE friendly atmosphere created by the lifting of the threatening *Trent* episode, appears to have made Secretary Seward believe that the moment was opportune for a renewal of pressure on Great Britain and France for the recall of their Proclamations of Neutrality. Seizing upon the victories of Grant at Forts Henry and Donelson, he wrote to Adams on February 28 explaining that as a result the United States, now having access to the interior districts of Alabama, Mississippi and Arkansas, "had determined to permit the restoration of trade upon our inland ways and waters" under certain limitations, and that if this experiment succeeded similar measures would be applied "to the country on the sea-coast, which would be some alleviation of the rigour of the blockade." He added that these "concessions" to foreign nations would "go much further and faster" if those nations would withdraw their "belligerent privileges heretofore so unnecessarily conceded, as we conceive, to the insurgents."[1] This was large talk for a relatively unchanged military situation. Grant had as yet but forced open the door in the West and was still far from having "access to the interior districts" of the states named. Lyons, being shown a copy of this despatch to Adams, commented to Russell that while it might be said the position and the spirit of the Northern armies were greatly improved and notable successes probable, it could not be maintained that hostilities were "so near

[1] *U. S. Messages and Documents*, 1862-63, Pt. I, p. 41.

their conclusion or are carried on upon so small a scale as to disqualify either party for the title of Belligerents."[1] Lyons and Mercier were agreed that this was no time for the withdrawal of belligerent rights to the South, and when the hint was received that the purpose of making such a request was in Seward's mind, the news quite took Thouvenel's breath away.[2] As yet, however, Seward did no more than hint and Adams was quick to advise that the moment had not yet come " when such a proceeding might seem to me likely to be of use."[3]

Just at this time Seward was engaged in forwarding a measure no doubt intended to secure British anti-slavery sympathy for the North, yet also truly indicative of a Northern temper toward the South and its " domestic institution." This was the negotiation of a Slave-Trade treaty with Great Britain, by which America joined, at last, the nations agreeing to unite their efforts in suppression of the African Slave Trade. The treaty was signed by Seward and Lyons at Washington on April 7. On the next day Seward wrote to Adams that had such a treaty been ratified " in 1808, there would now have been no sedition here, and no disagreement between the United States and foreign nations,"[4] a melancholy reflection intended to suggest that the South alone had been responsible for the long delay of American participation in a world humanitarian movement. But the real purpose of the treaty, Lyons thought, was " to save the credit of the President with the Party which elected him if he should make concessions to the South, with a view of reconstructing the Union "[5]—an erroneous view evincing a misconception of

[1] F. O., Am., Vol. 826. Nos. 154 and 155. March 3, 1862.
[2] F. O., France, Vol. 1435. No. 362. Cowley to Russell, March 18, 1862.
[3] *U. S. Messages and Documents*, 1862-63, Pt. I, p. 54. Adams to Seward, March 27, 1862.
[4] *Ibid.*, p. 65.
[5] Russell Papers. Lyons to Russell. Private. April 8, 1862.

the intensity of both Northern and Southern feeling if regarded from our present knowledge, but a view natural enough to the foreign observer at the moment. Lyons, in this letter, correctly stated the rising determination of the North to restore the Union, but underestimated the rapid growth of an equal determination against a restoration with slavery. The real motive for Seward's eagerness to sign the Slave Trade treaty was the thought of its influence on foreign, not domestic, affairs. Lyons, being confident that Russell would approve, had taken " the risk of going a little faster " than his instructions had indicated.[1]

In this same letter Lyons dwelt upon the Northern elation over recent military successes. The campaign in the West had been followed in the East by a great effort under McClellan to advance on Richmond up the peninsula of the James river and using Chesapeake Bay as a means of water transportation and supply. This campaign had been threatened by the appearance of the iron-clad ram *Merrimac* and her attack on the wooden naval vessels operating in support of McClellan, but on March 9 the *Monitor*, a slow-moving floating iron-clad fortress, drove the *Merrimac* from her helpless prey, and removed the Southern threat to McClellan's communications. More than any other one battle of the Civil War the duel between the *Merrimac* and the *Monitor* struck the imagination of the British people, and justly so because of its significance in relation to the power of the British Navy. It " has been the main talk of the town," wrote Adams, " ever since the news came, in Parliament, in the clubs, in the city, among the military and naval people. The impression is that it dates the commencement of a new era in warfare, and that Great Britain must consent to begin over again."[2] The victory of the *Monitor* was relatively unimportant in

[1] *Ibid.*

[2] *A Cycle of Adams' Letters*, I, 123. To his son, April 4, 1862.

British eyes, but a fight between two completely armoured ships, and especially the ease with which the *Merrimac* had vanquished wooden ships on the day previous, were cause of anxious consideration for the future. Russell was more concerned over the immediate lessons of the battle. "Only think," he wrote, "of our position if in case of the Yankees turning upon us they should by means of iron ships renew the triumphs they achieved in 1812-13 by means of superior size and weight of metal."[1]

This, however, was but early and hasty speculation, and while American ingenuity and experiment in naval warfare had, indeed, sounded the death-knell of wooden ships of war, no great change in the character of navies was immediately possible. Moreover British shipbuilders could surely keep pace in iron-clad construction with America or any other nation. The success of the *Monitor* was soon regarded by the British Government as important mainly as indicative of a new energy in the North promising further and more important successes on land. The Government hoped for such Northern success not because of any belief that these would go to the extent of forcing the South into submission, for they were still, and for a long time to come, obsessed with the conviction that Southern independence must ultimately be achieved. The idea was, rather, that the North, having vindicated its fighting ability and realizing that the South, even though losing battle after battle, was stubborn in the will to independence, would reach the conclusion that the game was not worth the price and would consent to separation. Russell wrote in this vein to Lyons, even though he thought that the "morale of the Southern army seems to be ruined for the time."[2] He believed that the end of the war would be hastened by Northern victories, and he therefore rejoiced in them.

[1] Palmerston MS. Russell to Palmerston, March 31, 1862.
[2] Lyons Papers. March 22, 1862.

Of somewhat like opinion up to the end of March, 1862, Lyons, in April, began to doubt his previous analysis of Northern temper and to write warnings that the end was not near. Grant's hard-won victory in the West at Shiloh, April 6-7, the first great pitched battle of the war, called out such a flood of Northern expressions of determination to drive the war to the bitter end as to startle Lyons and cause him, in a remarkably clear letter of survey, to recast his opinions. He wrote:

> "The general opinion is that the Campaign of this Spring will clear up most of the doubts as to the result of the War If the Military successes of the North continue, the determination of the South, will (it is asserted) be at last really put to the test. If notwithstanding great Military reverses, the loss of the Border States, and the occupation of the most important points on the Coast, the Southern men hold out, if they destroy as they threaten to do, their cotton, tobacco and all other property which cannot be removed and then retire into the interior with their families and slaves, the Northern Conquests may prove to be but barren. The climate may be a fatal enemy to the Federal Armies. The Northern people may be unable or unwilling to continue the enormous expenditure. They may prefer Separation to protracting the War indefinitely. I confess, however, that I fear that a protraction of the War during another year or longer, is a not less probable result of the present posture of affairs than either the immediate subjugation of the South or the immediate recognition of its independence." [1]

This itemization of Southern methods of resistance was in line with Confederate threats at a moment when the sky looked black. There was indeed much Southern talk of "retiring" into a hypothetical defensible interior which impressed Englishmen, but had no foundation in geographical fact. Meanwhile British attention was eagerly fixed on the Northern advance, and it was at least generally hoped

[1] F. O., Am., Vol. 827. No. 244. Extract. Lyons to Russell, April 11, 1862.

that the projected attack on New Orleans and McClellan's advance up the peninsula toward Richmond would bring to a more definite status the conflict in America. Extreme Southern sympathizers scouted the possibility of any conclusive Northern success, ignoring, because ignorant, the importance of Grant's western campaign. They "were quite struck aback" by the news of the capture of New Orleans, April 25. "It took them three days to make up their minds to believe it,"[1] but even the capture of this the most important commercial city of the South was not regarded as of great importance in view of the eastern effort toward Richmond.

News of the operations in the peninsula was as slow in reaching England as was McClellan's slow and cautious advance. It was during this advance and previous to the capture of New Orleans that two remarkable adventures toward a solution in America were made, apparently wholly on individual initiative, by a Frenchman in America and an Englishman in France. Mercier at Washington and Lindsay at Paris conceived, quite independently, that the time had come for projects of foreign mediation.

French opinion, like that expressed in England, appears to have been that the Northern successes in the spring of 1862 might result in such a rehabilitation of Northern self-esteem that suggestions of now recognizing the *facts* of the situation and acknowledging the independence of the South would not be unfavourably received. In this sense Thouvenel wrote to Mercier, privately, on March 13, but was careful to state that the word "mediation" ought not to be uttered. His letter dilated, also, on French manufacturing difficulties at home due to the lack of cotton.[2] This was in no way an instruction to Mercier, but the ideas

[1] *A Cycle of Adams' Letters*, I, 143. Adams to his son, May 16, 1862.
[2] Thouvenel, *Le Secret de l'Empereur*, II, p. 247.

expressed were broached by him in a conversation with Seward, only to be met with such positive assertions of intention and ability soon to recover the South as somewhat to stagger the French Minister. He remarked, according to his report to Thouvenel, that he wished it were possible to visit Richmond and assure himself that there also they recognized the truth of Seward's statements, upon which the latter at once offered to further such a trip. Mercier asserted to Thouvenel that he was taken by surprise, having foreseen no such eager acquiescence in a suggestion made *without previous thought*, but that on consideration he returned to Seward and accepted the proposal, outlining the substance of what he intended to say at Richmond. He should there make clear that the anxiety of France was above all directed toward peace as essential to French commercial interests; that France had always regarded the separation of North and South with regret; that the North was evidently determined in its will to restore the Union; and, in repetition, that France wished to aid in any way possible the early cessation of war. Seward, wrote Mercier, told him to add that he, personally, would welcome "the presence in the Senate" of any persons whom the South wished to elect.[1]

Mercier, writes Bancroft, "from the first had been an impatient sympathizer with the Confederacy, and he was quite devoid of the balance and good judgment that characterized Lord Lyons." "Quite unnecessarily, Seward

[1] *Documents Diplomatiques*, 1862, pp. 120-122. Mercier to Thouvenel, April 13, 1862. A translation of this despatch was printed, with some minor inaccuracies, in the New York *Tribune*, Feb. 5, 1863, and of Mercier's report, April 28, on his return from Richmond, on Feb. 9, under the caption "The Yellow Book." It is interesting that the concluding paragraphs of this report of April 28, as printed in the *Tribune*, are not given in the printed volume of *Documents Diplomatiques*, 1862. These refer to difficulties about cotton and to certain pledges given by Seward as to cessation of illegal interferences with French vessels. How the *Tribune* secured these paragraphs, if authentic, is not clear. The whole purpose of the publication was an attack by Horace Greeley, editor, on Seward in an effort to cause his removal from the Cabinet. See Bancroft, *Seward*, II, 371-2.

helped him to make the trip."[1] A circumstance apparently not known to Bancroft was Mercier's consultation with Lyons, before departure, in which were revealed an initiative of the adventure, and a proposed representation to the authorities in Richmond materially different from the report made by Mercier to Thouvenel. These merit expanded treatment as new light on a curious episode and especially as revealing the British policy of the moment, represented in the person of the British Minister in Washington.[2]

On April 10 Mercier came to Lyons, told him that he was about to set out for Richmond and that he had " been for some little time thinking of making this journey." He told of *making the suggestion to Seward*, and that this " rather to his surprise " had been " eagerly " taken up.

> " Monsieur Mercier observed that the object of vital importance to France, and to England also, as he supposed, was to put an end, as soon as possible, to the blockade, and generally to a state of things which caused so grievous an interruption of the trade between Europe and this country. It was, he said, possible that he might hasten the attainment of this object by conferring personally with the Secession leaders. He should frankly tell them that to all appearances their cause was desperate ; that their Armies were beaten in all quarters ; and that the time had arrived when they ought to come to some arrangement, which would put an end to a state of affairs ruinous to themselves and intolerable to Europe. It was useless to expect any countenance from the European Powers. Those Powers could but act on their avowed principles. They would recognize any people which

[1] Bancroft, *Seward*, II, 298-99. Bancroft's account is based on the *Tribune* translation and on Seward's own comments to Weed and Bigelow. *Ibid.*, 371-72.

[2] Newton. *Lord Lyons*, I, pp. 82-85, gives an account of the initiation of Mercier's trip and prints Lyons' private letter to Russell of April 25, describing the results, but does not bring out sufficiently Lyons' objections and misgivings. Newton thinks that Mercier " whether instructed from home or not . . . after the manner of French diplomatists of the period . . . was probably unable to resist the temptation of trying to effect a striking *coup*. . . ."

established its independence, but they could not encourage the prolongation of a fruitless struggle.

"Monsieur Mercier thought that if the Confederates were very much discouraged by their recent reverses, such language from the Minister of a great European Power might be a knock-down blow (' Coup d'assommoir ' was the expression he used) to them. It might induce them to come to terms with the North. At all events it might lead to an Armistice, under which trade might be immediately resumed. He had (he told me) mentioned to Mr. Seward his notion of using this language, and had added that of course as a Minister accredited to the United States, and visiting Richmond with the consent of the United States Government, he could not speak to the Southern men of any other terms for ending the War than a return to the Union.

"Monsieur Mercier proceeded to say that Mr. Seward entirely approved of the language he thus proposed to hold, and had authorized him to say to the Southern leaders, not of course from the United States Government, but from him Mr. Seward, personally, that they had no spirit of vengeance to apprehend, that they would be cordially welcomed back to their Seats in the Senate, and to their due share of political influence. Mr. Seward added that he had not said so much to any other person, but that he would tell Monsieur Mercier that he was willing to risk his own political station and reputation in pursuing a conciliatory course towards the South, that he was ready to make this his policy and to stand or fall by it."

This was certainly sufficiently strong language to have pleased the American Secretary of State, and if actually used at Richmond to have constituted Mercier a valuable Northern agent. It cannot be regarded as at all in harmony with Mercier's previous opinions, nor as expressive of Thouvenel's views. Lyons was careful to refrain from much comment on the matter of Mercier's proposed representations at Richmond. He was more concerned that the trip was to be made at all; was in fact much opposed to it, fearing that it would appear like a break in that unity of French-British attitude which was so desirable. Nor was

he without suspicion of a hidden French purpose to secure some special and separate advantages in the way of prospective commercial relations with the South. Mercier told Lyons that he knew he could not ask Lyons to accompany him because of American "extreme susceptibility" to any interference by Great Britain, but he thought of taking Stoeckl, the Russian Minister, and that Stoeckl was "pleased with the idea." Lyons frankly replied that he was glad to be relieved of the necessity of declining to go and was sorry Mercier was determined to proceed since this certainly looked like a break in "joint policy," and he objected positively on the same ground to Stoeckl's going.[1] Mercier yielded the latter point, but argued that by informing Seward of his consultation with Lyons, which he proposed doing, the former objection would be obviated. Finding that Mercier "was bent on going," Lyons thought it best not to object too much and confined his efforts to driving home the idea that no opening should be given for a "separate agreement" with the South.

> "I therefore entered with him into the details of his plans, and made some suggestions as to his language and conduct. I said that one delusion which he might find it desirable to remove from the minds of men in the South, was that it would be possible to inveigle France or any other great European Power into an exclusive Alliance with them. I had reason to believe that some of them imagine that this might be effected by an offer of great commercial privileges to one Power, to the exclusion of others. I hardly supposed that Mr. Jefferson Davis himself, or men of his stamp could entertain so foolish a notion, but still it might be well to eradicate it from any mind in which it had found place." [2]

[1] Stoeckl's report does not agree with Mercier's statement. He wrote that he had been asked to accompany Mercier but had refused and reported a conversation with Seward in which the latter declared the time had not yet come for mediation, that in any case France would not be accepted in that rôle, and that if ever mediation should become acceptable, Russia would be asked to act (Russian Archives, Stoeckl to F. O., April 23-May 5, 1862. No. 927).

[2] F. O., Am., Vol. 828. No. 250. Confidential. Lyons to Russell, April 14, 1862.

Lyons saw Mercier "two or three times" between the tenth and fourteenth and on the twelfth spoke to Seward about the trip, "without saying anything to lead him to suppose that I had any objection to it." This was intended to preserve the impression of close harmony with France, and Lyons wrote, "I consider that the result of my communications with M. Mercier entitles him to say that he makes his journey to Richmond with my acquiescence."[1] Nevertheless he both believed, and declared to Mercier, that the views expressed on Southern weakening of determination were wholly erroneous, and that neither North nor South was ready for any efforts, still less mediation, looking toward peace. He prophesied failure of Mercier's avowed hopes. His prophecy proved well founded. On April 28 Lyons reported Mercier's account to him of the results of the journey. Mercier returned to Washington on April 24, reported at once to Seward the results of his trip, and on the same day called on Lyons. Having conversed with Benjamin, the new Confederate Secretary of State, he was now wholly convinced of the settled determination of the South to maintain its independence, even under extreme reverses. Upon enquiry by Lyons whether the South expected European assistance, Mercier "replied that the Confederate leaders professed to have abandoned all hope of succour from Europe," and that confident in their own power they "desired no aid." Cautiously adverting to his suspicion that Mercier's trip might have had in view French commercial advantage, Lyons asked whether France had received any proposals of benefit in return for recognition. Mercier answered with a simple negative. He then further developed the interview with Benjamin.[2]

[1] *Ibid.*

[2] This suspicion was a natural one but that it was unfounded is indicated by Benjamin's report to Slidell of Mercier's visit, describing the language used in almost exactly the same terms that Lyons reported to Russell. That little importance was attached by Benjamin to Mercier's visit is also indicated by the fact that he did not write to Slidell about it until July. Richardson, II, 260. Benjamin to Slidell, July 19, 1862.

"He said that he had spoken while at Richmond as a friend of the Union, and a friend of all parties, but that the particular language which he had intended to hold was entirely inapplicable to the state of mind in which he found the Confederates one and all. It was idle to tell them that they were worsted on all sides; that the time was come for making terms with the North. What he had said to them about the recognition of their Independence was that the principal inducement to France to recognize it would be a hope that her doing so would have a great moral effect towards hastening peace; that at this moment it would certainly not have any such effect; that it would embroil France with the United States, and that would be all." [1]

Thus none of the strong representations intended to be made by Mercier to convince the South of the uselessness of further resistance had, in fact, been made. In his report to Thouvenel, Mercier stated that he had approached Benjamin with the simple declaration "that the purpose of my journey was merely to assure myself, for myself, of the true condition of things; and that I called to beg him to aid me in attaining it." Since the proposed strong representations were not reported to Thouvenel, either, in the explanation given of the initiation of the trip, the doubt must be entertained that Mercier ever intended to make them. They bear the appearance of arguments to Seward —and in some degree also to Lyons—made to secure acquiescence in his plan. The report to Thouvenel omits also any reference to expressions, as narrated to Lyons, about recognition of the Confederacy, or a "principal inducement" thereto.[2] Mercier now declared to Lyons his own views on recognition:

"He was himself more than ever convinced that the restoration of the old Union was impossible. He believed

[1] F. O., Am., Vol. 828. No. 284. Confidential. Lyons to Russell, April 24, 1862.

[2] *Documents Diplomatiques*, 1862, pp. 122-124.

that, if the Powers of Europe exercised no influence, the War would last for years. He conceived that the Independence of the South must be recognized sooner or later; and in his opinion the Governments of Europe should be on the watch for a favourable opportunity of doing this in such a manner as to end the War. The present opportunity would however, he thought, be particularly unfavourable."

Lyons writes:

"I did not express any opinion as to the policy to be eventually pursued by France or England, but I told Monsieur Mercier that I entirely agreed with him in thinking that there was nothing to do at the present moment but to watch events."

On the day following this interview, Lyons spoke to Seward of Mercier's trip and was given a very different view of the situation at Richmond. Seward said:

"He himself was quite convinced, from Monsieur Mercier's account of what had passed, that the Confederates were about to make a last effort, that their last resources were brought into play; that their last Armies were in the field. If they were now defeated, they would accept the terms which would be offered them. Their talking of retiring into the interior was idle. If the United States were undisputed masters of the Border States and the Sea Coast, there would be no occasion for any more fighting. Those who chose to retire into the interior were welcome to do so, and to stay there till they were tired."

"The truth," wrote Lyons, "as to the state of feeling in the South probably lies somewhere between Mr. Seward's views and those of Monsieur Mercier." Lyons concluded his report of the whole matter:

"The result of Monsieur Mercier's journey has been to bring him back precisely to the point at which he was three months ago. The Federal successes which occurred afterwards had somewhat shaken his conviction in the ultimate success of the South, and consequently his opinions as to

the policy to be adopted by France. The sentiments he now expresses are exactly those which he expressed at the beginning of the year." [1]

In other words, Mercier was now again pressing for early recognition of the South at the first favourable moment. On Lyons the effect of the adventure to Richmond was just the reverse of this; and on Russell also its influence was to cause some doubt of Southern success. Appended to Lyons' report stands Russell's initialled comment:

> "It is desirable to know what is the Interior to which the Southern Confederates propose if beaten to retire. If in Arms they will be pursued, if not in Arms their discontent will cause but little embarrassment to their Conquerors. But can the country be held permanently by the U.S. Armies if the Confederates have small bodies in Arms resisting the authority of the U.S. Congress?
>
> Any facts shewing the strength or weakness of the Union feeling in the South will be of great value in forming a judgment on the final issue."

Seward, in conversation with Lyons, had said that to avoid public misconceptions a newspaper statement would be prepared on Mercier's trip. This appeared May 6, in the New York *Times*, the paper more closely Seward's "organ" than any other throughout the war, representing Mercier as having gone to Richmond by order of Napoleon and with Lincoln's approval to urge the Confederates to surrender and to encourage them to expect favourable terms. Lyons commented on this article that the language attributed to Mercier was "not very unlike that which he intended to hold," but that in fact he had not used it.[2] Nor had Napoleon ordered the move. Indeed everyone in London and Paris was much astonished, and many were

[1] F. O., Am., Vol. 828. No. 284. Confidential. Lyons to Russell, April 28, 1862.

[2] F. O., Am., Vol. 829. No. 315. Confidential. Lyons to Russell, May 9, 1862.

the speculations as to the meaning of Mercier's unusual procedure. Russell was puzzled, writing "Que diable allait il faire dans cette galére?"[1] and Cowley, at Paris, could give no light, being assured by Thouvenel on first rumours of Mercier's trip to Richmond that "he had not a notion that this could be true."[2] May 1, Cowley wrote, "The whole thing is inexplicable unless the Emperor is at the bottom of it, which Thouvenel thinks is not the case."[3] The next day Thouvenel, having consulted Napoleon, was assured by the latter that "he could not account for Monsieur Mercier's conduct, and that he greatly regretted it," being especially disturbed by a seeming break in the previous "complete harmony with the British Representative" at Washington.[4] This was reassuring to Russell, yet there is no question that Mercier's conduct long left a certain suspicion in British official circles. On May 2, also, Thouvenel wrote to Flahault in London of the Emperor's displeasure, evidently with the intention that this should be conveyed to Russell.[5]

Naturally the persons most excited were the two Confederate agents in Europe. At first they believed Mercier must have had secret orders from Napoleon, and were delighted; then on denials made to Slidell by Thouvenel they feared Mercier was acting in an unfavourable sense as Seward's agent. Later they returned to the theory of Napoleon's private manipulation, and being confident of his friendship were content to wait events.[6] Slidell had just received assurance from M. Billault, through whom most of his information came, "that the Emperor and all

[1] Lyons Papers. Russell to Lyons, May 10, 1862.

[2] F. O., France, Vol. 1427. No. 544. Cowley to Russell, April 28, 1862.

[3] *Ibid.* Vol. 1438. No. 563. To Russell. Mercier's conduct appeared to Cowley as "want of courtesy" and "tardy confidence" to Lyons. *Ibid.* No. 566. May 1, 1862. To Russell.

[4] *Ibid.* No. 574. Cowley to Russell, May 2, 1862.

[5] Thouvenel, *Le Secret de l'Empereur*, II, p. 299.

[6] Mason Papers. Slidell to Mason, May 3, 14 and 16, 1862. Mason to Slidell, May 5, 14 and 16, 1862.

the Ministers are favourable to our cause, have been so for the last year, and are now quite as warmly so as they have ever been. M. Thouvenel is of course excepted, but then he has no hostility."[1] But a greater source of Southern hope at this juncture was another " diplomatic adventure," though by no accredited diplomat, which antedated Mercier's trip to Richmond and which still agitated not only the Confederate agents, but the British Ministry as well.

This was the appearance of the British Member of Parliament, Lindsay, in the rôle of self-constituted Southern emissary to Napoleon. Lindsay, as one of the principal ship-owners in England, had long been an earnest advocate of more free commercial intercourse between nations, supporting in general the principles of Cobden and Bright, and being a warm personal friend of the latter, though disagreeing with him on the American Civil War. He had been in some sense a minor expert consulted by both French and British Governments in the preparation of the commercial treaty of 1860, so that when on April 9 he presented himself to Cowley asking that an audience with the Emperor be procured for him to talk over some needed alterations in the Navigation Laws, the request seemed reasonable, and the interview was arranged for April 11. On the twelfth Lindsay reported to Cowley that the burden of Napoleon's conversation, much to his surprise, was on American affairs.[2]

The Emperor, said Lindsay, expressed the conviction

[1] *Ibid.* Slidell to Mason, May 16, 1862. Billault was a member of the French Ministry, but without portfolio.

[2] Several accounts have been given of this episode. The two known to me treating it at greatest length are (1) Callahan, *Diplomatic History of the Southern Confederacy* and (2) Sears, *A Confederate Diplomat at the Court of Napoleon III*, Am. Hist. Rev., Jan., 1921. Both writers drew their information wholly from Confederate documents, using, especially, the private correspondence of Mason and Slidell, and neither treats the matter from the English view point. I have therefore based my account on the unused letters of British officials, citing other materials only where they offer a side-light. The principal new sources are Cowley's private and official letters to Russell.

that re-union between North and South was an impossibility, and declared that he was ready to recognize the South "if Great Britain would set him the example." More than once he had expressed these ideas to England, but "they had not been attended to" and he should not try again. He continued:

> ". . . that France ought not to interfere in the internal affairs of the United States, but that the United States ought equally to abstain from all interference in the internal concerns of France; and that His Majesty considered that the hindrance placed by the Northern States upon the exportation of cotton from the South was not justifiable, and was tantamount to interference with the legal commerce of France."

He also "denied the efficiency of the blockade so established. He had made observations in this sense to Her Majesty's Government, but they had not been replied to." Then "His Majesty asked what were the opinions of Her Majesty's Govt.; adding that if Her Majesty's Govt. agreed with him as to the inefficiency of the blockade, he was ready to send ships of war to co-operate with others of Her Majesty to keep the Southern ports open." Finally Napoleon requested Lindsay to see Cowley and find out what he thought of these ideas.

Cowley told Lindsay he did not know of any "offer" whatever having been made by France to England, that his (Cowley's) opinion was "that it might be true that the North and the South would never re-unite, but that it was not yet proved; that the efficiency of the blockade was a legal and international question, and that upon the whole it had been considered by Her Majesty's Govt. as efficient, though doubtless many ships had been enabled to run it"; and "that at all events there could not be a more inopportune moment for mooting the question both of the recognition of the South and of the efficiency of the blockade,

The time was gone by when such measures could, if ever, have been taken—for every mail brought news of expeditions from the North acting with success upon the South; and every day added to the efficiency of the blockade"; and "that I did not think therefore that Her Majesty's Govt. would consent to send a squadron to act as the Emperor had indicated, but that I could only give a personal opinion, which might be corrected if I was in error by Mr. Lindsay himself seeing Lord Russell."

On April 13th a second interview took place between Lindsay and Napoleon, of which Lindsay reported that having conveyed to Napoleon Cowley's denial of any offer made to England, as well as a contrary view of the situation, Napoleon:

> "... repeated the statement that two long despatches with his opinion had been written to M. de Flahault, which had not been attended to by Her Majesty's Government, and he expressed a desire that Mr. Lindsay should return to London, lay His Majesty's views before Lord Palmerston and Lord Russell, and bring their answers direct to him as quickly as possible, His Majesty observing that these matters were better arranged by private than official hands. ... Mr. Lindsay said that he had promised the Emperor to be back in Paris on Thursday morning."

In his letter to Russell, Cowley called all this a "nasty intrigue." Cowley had asked Thouvenel for enlightenment, and Thouvenel had denied all knowledge and declared that certainly no such proposals as Lindsay reported the Emperor to have mentioned had ever been sent to England. Cowley wrote:

> "My own conviction is, from Lindsay's conversations with me, which are full of hesitations, and I fear much falsehood hidden under apparent candour, that he has told the Emperor his own views, and that those views are supported by the majority of the people of England, and by the present Opposition in Parliament, who would denounce

> the blockade if in power; that he has found a willing listener in the Emperor, who would gladly obtain cotton by any means; and I am much mistaken if Lindsay will not attempt to make political capital of his interviews with the Emperor with the Opposition, and that you may hear of it in Parliament. I lose no time therefore, in writing to you as Lindsay goes over to-night, and will probably endeavour to see you and Lord Palmerston as soon as possible." [1]

The close touch between Lindsay and the Southern agents is shown by his conveyance to Slidell of the good news. Slidell was jubilant, writing to Mason:

> " Mr. Lindsay has had a long interview with the Emperor who is prepared to act at once decidedly in our favour; he has always been ready to do so and has twice made representations to England, but has received evasive responses. He has now for the third time given them but in a more decided tone. Mr. Lindsay will give you all the particulars. This is entirely confidential but you can say to Lord Campbell, Mr. Gregory, etc., that I now have positive and *authoritative* evidence that France now waits the assent of England for recognition and other more cogent measures."[2]

Two days later Slidell made a report to Benjamin, which was in substance very similar to that given by Lindsay to Cowley, though more highly coloured as favourable to the South, but he added an important feature which, as has been seen, was suspected by Cowley, but which had not been stated to him. Napoleon had asked Lindsay to see Derby and Disraeli, the leaders of the parliamentary opposition, and inform them of his views—a suggestion which if known to the British Ministry as coming from Napoleon could not fail to arouse resentment. Slidell even believed that, failing British participation, the Emperor might act separately in recognition of the South.[3]

[1] Russell Papers. Cowley to Russell. Private. April 13, 1862.
[2] Mason Papers. April 12, 1862.
[3] Richardson, II, 239. April 14, 1862.

April 15, Cowley, having received, privately, Russell's approval of the language used to Lindsay and believing that Thouvenel was about to write to Flahault on the interviews, felt it "necessary to bring them also on my part officially to your [Russell's] notice."[1] This official report does not differ materially from that in Cowley's private letter of the thirteenth, but omitted, naturally, aspersions on Lindsay and suspicions of the use to which he might put his information.[2] Cowley had held a long conversation with Thouvenel, in which it was developed that the source of the Emperor's views was Rouher, Minister of Commerce, who was very anxious over the future of cotton supply. It appeared that Lindsay in conversation with Thouvenel had affirmed that "*I* [Cowley] *coincided in his views.*" This exasperated Cowley, and he resented Lindsay's "unofficial diplomacy," telling Thouvenel that he "was placed in a false position by Mr. Lindsay's interference. M. Thouvenel exclaimed that his own position was still more false, and that he should make a point of seeing the Emperor, on the following morning, and of ascertaining the extent of His Majesty's participation in the proceeding." This was done, with the result that Napoleon acknowledged that on Lindsay's request he had authorized him to recount to Russell and Palmerston the views expressed, but asserted that "he had not charged him to convey those opinions." Cowley concluded his despatch:

> "Monsieur Thouvenel said that the Emperor did not understand the intricacies of this question—that His Majesty had confounded remarks conveyed in despatches with deliberate proposals—that no doubt the French Government was more preoccupied with the Cotton question than Her Majesty's Government seemed to be, and this he (Thouvenel) had shewn in his communications with M. de

[1] Russell Papers. Cowley to Russell. Private.

[2] F. O., France, Vol. 1437. No. 497. *Confidential.* Cowley to Russell April 15, 1862.

Flahault, but that he knew too well the general opinions prevailing in England to have made proposals. Nor, indeed, did he see what proposals could have been made. He had endeavoured to shew both the Emperor and M. Rouher, that to recognize the independence of the South would not bring Cotton into the markets, while any interference with the blockade would probably have produced a collision. At the same time he could not conceal from me the just anxiety he experienced to reopen the Cotton trade. Might not the Northern States be induced to declare some one port Neutral, at which the trade could be carried on?

I said that the events which were now passing in America demonstrated the prudence of the policy pursued by the two Governments. The recognition of the South would not have prevented the North from continuing its armaments and undertaking the expedition now in progress, and a refusal to acknowledge the blockade as efficient must have been followed by the employment of force, on a question of extreme delicacy." [1]

Formal approval was given Cowley by Russell on April 16. In this Russell stated that he agreed with Thouvenel the cotton situation was alarming, but he added: " The evil is evident—not equally so the remedy." He assured Cowley that " Her Majesty's Government wish to take no step in respect to the Civil War in America except in concert with France and upon full deliberation." [2] Meanwhile Lindsay's diplomatic career had received a severe jolt in London. Confidently addressing to Russell a request for an interview, he received the reply " that I thought the best way for two Govts. to communicate with each other was through their respective Embassies. . . . He [Lindsay] rejoined that he feared you [Cowley] had not stated the reason why the Emperor wished to make the proposal through him rather than the usual channel, and again asked to see me, but I declined to give any other answer, adding that you and the French Ambassr. could make the

[1] *Ibid.*

[2] F. O., France, Vol. 1422. No. 403. Russell to Cowley, April 16, 1862.

most Confidential as well as Official Communications."[1] This rebuff was not regarded as final, though exasperating, by Lindsay, nor by the Confederate agents, all being agreed that Napoleon was about to take an active hand in their favour. Lindsay returned to Paris accompanied by Mason, and on April 18 had still another conversation with Napoleon. He reported Russell's refusal of an interview, and that he had seen Disraeli, but not Derby, who was ill. Disraeli had declared that he believed Russell and Seward to have a " secret understanding " on the blockade, but that if France should make a definite proposal it would probably be supported by a majority in Parliament, and that Russell would be compelled to assent in order to avoid a change of Ministry. In this third interview with Lindsay expressions of vexation with British policy were used by Napoleon (according to Slidell), but he now intimated that he was waiting to learn the result of the Northern effort to capture New Orleans, an event which " he did not anticipate," but which, if it occurred, " might render it inexpedient to act."[2]

Evidently the wedge was losing its force. Mason, returning to London, found that the "pulsations" in Paris had no English repetition. He wrote that Lindsay, failing to reach Russell, had attempted to get at Palmerston, but

[1] *Ibid.* No. 415. Russell to Cowley, April 16, 1862. Whether Napoleon had in fact " charged " Lindsay with a mission must remain in doubt. Cowley believed Lindsay to have prevaricated—or at least so officially reported. He had written a note to Napoleon explaining Russell's refusal to see Lindsay and had received this reply:

" Le 20 Avril, 1862.

Mon cher Lord Cowley:

Je vous remercie de votre billet. J'espère comme vous que bientôt nos manufactures auront du coton. Je n'ai pas de tout été choqué de ce que Lord Russell n'ait pas reçu Mr. Lindsay. Celui-cí m'avait demandé l'autorisation de rapporter au principal secretaire d'Etat notre conversation et j'y avais consenti et voilà tout.

Croyez à mes sentiments d'amitié.

Napoleon."

(Copy. Russell Papers, Cowley to Russell, April 22, 1862).

[2] Richardson, II, 239. Slidell to Benjamin, April 18, 1862. New Orleans was captured on April 25.

with no success. Thereupon Lindsay turning to the Opposition had visited Disraeli a "second time and submitted to him Palmerston's rebuff The strongest expression that fell from Disraeli was—if it is found that the Emperor and Russell are at issue on the question the session of Parliament would not be as quiet as had been anticipated." This was scant encouragement, for Disraeli's "if" was all important. Yet "on the whole Lindsay is hopeful," wrote Mason in conclusion.[1] Within a fortnight following arrived the news of the capture of New Orleans, an event upon which Seward had postulated the relief of a European scarcity of cotton and to Southern sympathizers a serious blow. May 13, Cowley reported that the Emperor had told him, personally, that "he quite agreed that nothing was to be done for the moment but to watch events."[2] Thouvenel asked Slidell as to the effect of the loss of New Orleans, and received the frank answer, "that it would be most disastrous, as it would give the enemy the control of the Mississippi and its tributaries, [but] that it would not in any way modify the fixed purpose of our people to carry on the war even to an extermination."[3] Mason, a Virginian, and like nearly all from his section, never fully realizing the importance of the Confederate South-West, his eyes fixed on the campaigns about Richmond, was telling the "nervous amongst our friends" that New Orleans would "form a barren acquisition to the enemy, and will on our side serve only as a stimulant."[4]

If the South needed such stimulants she was certainly getting repeated doses in the three months from February to May, 1862. In England, Lindsay might be hopeful of a movement by the Tory opposition, but thought it wiser to postpone for a time further pressure in that direction.

[1] Mason Papers. Mason to Slidell, April 30, 1862.
[2] Russell Papers. Cowley to Russell.
[3] Mason Papers. Slidell to Mason, May 14, 1862.
[4] *Ibid.* Mason to Slidell, May 14, 1862.

May 8, Henry Adams could write to his brother of British public opinion, " there is no doubt that the idea here is as strong as ever that we must ultimately fail,"[1] but on May 16, that " the effect of the news here [of New Orleans] has been greater than anything yet . . . the *Times* came out and gave fairly in that it had been mistaken ; it had believed Southern accounts and was deceived by them. This morning it has an article still more remarkable and intimates for the first time that it sees little more chance for the South. There is, we think, a preparation for withdrawing their belligerent declaration and acknowledging again the authority of the Federal Government over all the national territory to be absolute and undisputed. One more victory will bring us up to this, I am confident."[2]

This was mistaken confidence. Nor did governmental reaction keep pace with Southern depression or Northern elation ; the British Ministry was simply made more determined to preserve strict neutrality and to restrain its French partner in a " wait for events " policy. The " one more victory " so eagerly desired by Henry Adams was not forthcoming, and the attention, now all focused on McClellan's slow-moving campaign, waited in vain for the demonstration of another and more striking evidence of Northern power—the capture of the Confederate Capital, Richmond. McClellan's delays coincided with a bruiting of the news at Washington that foreign Powers were about to offer mediation. This was treated at some length in the semi-official *National Intelligencer* of May 16 in an article which Lyons thought inspired by Seward, stating that mediation would be welcome if offered for the purpose of re-union, but would otherwise be resented, a view which Lyons thought fairly represented the situation.[3]

[1] *A Cycle of Adams' Letters*, I, 139.
[2] *Ibid.*, p. 146.
[3] F. O., Am., Vol. 830. No. 338. Lyons to Russell, May 16, 1862.

There can be little doubt that this Washington rumour was largely the result of the very positive opinion held by Mercier of ultimate Southern success and his somewhat free private communications. He may, indeed, have been talking more freely than usual exactly because of anxiety at Northern success, for McClellan, so far as was then known, was steadily, if slowly, progressing toward a victory. Mercier's most recent instruction from Thouvenel gave him no authority to urge mediation, yet he thought the moment opportune for it and strongly urged this plan on Lyons. The latter's summary of this and his own analysis of the situation were as follows :

> " M. Mercier thinks it quite within the range of possibility that the South may be victorious both in the battle in Virginia and in that in Tennessee. He is at all events quite confident that whether victorious or defeated, they will not give in, and he is certainly disposed to advise his Government to endeavour to put an end to the war by intervening on the first opportunity. He is, however, very much puzzled to devise any mode of intervention, which would have the effect of reviving French trade and obtaining cotton. I should suppose he would think it desirable to go to great lengths to stop the war ; because he believes that the South will not give in until the whole country is made desolate and that the North will very soon be led to proclaim immediate emancipation, which would stop the cultivation of cotton for an indefinite time.
>
> I listen and say little when he talks of intervention. It appears to me to be a dangerous subject of conversation. There is a good deal of truth in M. Mercier's anticipations of evil, but I do not see my way to doing any good.
>
> If one is to conjecture what the state of things will be a month or six weeks hence, one may " guess " that McClellan will be at Richmond, having very probably got there without much real fighting. I doubt his getting farther this summer, if so far. . . .
>
> The campaign will not be pushed with any vigour during the summer. It may be begun again in the Autumn. Thus, so far as Trade and Cotton are concerned, we may be next

Autumn, just in the situation we are now. If the South really defeated either or both the Armies opposed to them I think it would disgust the North with the war, rather than excite them to fresh efforts. If the armies suffer much from disease, recruiting will become difficult. The credit of the Government has hitherto been wonderfully kept up, but it would not stand a considerable reverse in the field. It is possible, under such circumstances that a Peace Party might arise ; and perhaps just *possible* that England and France might give weight to such a Party." [1]

In brief, Lyons was all against either intervention or mediation unless a strong reaction toward peace should come in the North, and even then regarded the wisdom of such a policy as only "just *possible*." Nor was Russell inclined to depart from established policy. He wrote to Lyons at nearly the same time :

"The news from York Town, New Orleans, and Corinth seems to portend the conquest of the South. We have now to see therefore, whether a few leaders or the whole population entertain those sentiments of alienation and abhorrence which were so freely expressed to M. Mercier by the Confederate Statesmen at Richmond. I know not how to answer this question. But there are other questions not less important to be solved in the North. Will the Abolitionists succeed in proclaiming freedom to the Slaves of all those who have resisted ? I guess not.

But then the Union will be restored with its old disgrace and its old danger. I confess I do not see any way to any fair solution except separation—but that the North will not hear of—nor in the moment of success would it be of any use to give them unpalatable advice."[2]

Two days preceding this letter, Thouvenel, at last fully informed of Mercier's trip to Richmond, instructed him that France had no intention to depart from her attitude of strict neutrality and that it was more than ever necessary to wait events.[3]

[1] Russell Papers. Lyons to Russell. Private. May 16, 1862.
[2] Lyons Papers. Russell to Lyons. Private. May 17, 1862.
[3] *Documents Diplomatiques*, 1862, p. 124. May 15.

Mercier's renewed efforts to start a movement toward mediation were then wholly personal. Neither France nor Great Britain had as yet taken up this plan, nor were they likely to so long as Northern successes were continued. In London, Mason, suffering a reaction from his former high hopes, summed up the situation in a few words: "This Government passive and ignorant, France alert and mysterious. The Emperor alone knows what is to come out of it, and he keeps his own secret."[1] The Southern play, following the ministerial rebuff to Lindsay, was now to keep quiet and extended even to discouraging public demonstrations against governmental inaction. Spence had prevented such a demonstration by cotton operators in Liverpool. "I have kept them from moving as a matter of judgment. If either of the Southern armies obtain such a victory as I think probable, then a move of this kind may be made with success and power, whilst at the wrong time for it havoc only would have resulted."[2] The wrong time for Southern pressure on Russell was conceived by Seward to be the right time for the North. Immediately following the capture of New Orleans he gave positive instructions to Dayton in Paris and Adams in London to propose the withdrawal of the declaration admitting Southern belligerent rights. Thouvenel replied with some asperity on the folly of Seward's demand, and made a strong representation of the necessity of France to obtain cotton and tobacco.[3] Adams, with evident reluctance, writing, "I had little expectation of success, but I felt it my duty at once to execute the orders," advanced with Russell the now threadbare and customary arguments on the Proclamation of Neutrality, and received the usual refusal to alter

[1] Mason Papers. Mason to Slidell, May 21, 1862.

[2] Mason Papers. Spence to Mason, June 3, 1862.

[3] F. O., France, Vol. 1439. No. 668. Cowley to Russell, May 23, 1862, and *Documents Diplomatiques*, 1862, p. 127. Thouvenel to Mercier, May 21, 1862.

British policy.[1] If Seward was sincere in asking for a retraction of belligerent rights to the South he much mistook European attitude; if he was but making use of Northern victories to return to a high tone of warning to Europe—a tone serviceable in causing foreign governments to step warily—his time was well chosen. Certainly at Washington Lyons did not regard very seriously Seward's renewal of demand on belligerency. Satisfied that there was no immediate reason to require his presence in America, ill and fearing the heat of summer, he had asked on May 9 for permission to take leave of absence for a trip home. On June 6 he received this permission, evidence that Russell also saw no cause for anxiety, and on June 13 he took leave of Lincoln.

> "I had quite an affectionate parting with the President this morning. He told me, as is his wont, a number of stories more or less decorous, but all he said having any bearing on political matters was: 'I suppose my position makes people in England think a great deal more of me than I deserve, pray tell 'em I mean 'em no harm.'" [2]

Fully a month had now elapsed in London since the arrival of news on any striking military event in America. New Orleans was an old story, and while in general it was believed that Richmond must fall before McClellan's army, the persistence of Southern fervid declarations that they would never submit gave renewed courage to their British friends. Lindsay was now of the opinion that it might be wise, after all, to make some effort in Parliament, and since the Washington mediation rumours were becoming current in London also, notice was given of a motion demanding of the Government that, associating itself with France, an offer of mediation be made to the contending

[1] *U. S. Messages and Documents*, 1862, pp. 97-99. Adams to Seward, May 22, 1862.

[2] Newton, *Lord Lyons*, I, 88.

parties in America. Motions on recognition and on the blockade had been tried and had failed. Now the cry was to be "peaceful mediation" to put an end to a terrible war. Friends of the South were not united in this adventure. Spence advised Lindsay to postpone it, but the latter seemed determined to make the effort.[1] Probably he was still smarting under his reverse of April. Possibly also he was aware of a sudden sharp personal clash between Palmerston and Adams that might not be without influence on governmental attitude—perhaps might even indicate a governmental purpose to alter its policy.

This clash was caused by a personal letter written by Palmerston to Adams on the publication in the *Times* of General Butler's famous order in New Orleans authorizing Federal soldiers to treat as "women of the town" those women who publicly insulted Northern troops. The British press indulged in an ecstasy of vicious writing about this order similar to that on the Northern "barbarity" of the Stone Fleet episode. Palmerston's letters to Adams and the replies received need no further notice here, since they did not in fact affect British policy, than to explain that Palmerston wrote in extreme anger, apparently, and with great violence of language, and that Adams replied with equal anger, but in very dignified if irritating terms.[2] In British opinion Butler's order was an incitement to his soldiers to commit atrocities; Americans understood it as merely an authorization to return insult for insult. In fact the order promptly put a stop to attacks on Northern soldiers, whether by act or word, and all disorder ceased. Palmerston was quick to accept the British view, writing to Adams, "it is difficult if not impossible to express adequately the disgust which must be excited in the mind of every honourable man by the general order of General Butler. . . ."

[1] Mason Papers. Spence to Mason, June 11, 1862.
[2] All the letters are given in Adams, *C. F. Adams*, Ch. XIII.

" If the Federal government chooses to be served by men capable of such revolting outrages, they must submit to abide by the deserved opinion which mankind will form of their conduct."[1] This extraordinary letter was written on June 11. Adams was both angry and perturbed, since he thought the letter might indicate an intention to change British policy and that Palmerston was but laying the ground for some " vigorous " utterance in Parliament, after his wont when striking out on a new line. He was further confirmed in this view by an editorial in the *Times* on June 12, hinting at a coming mediation, and by news from France that Persigny was on his way to London to arrange such a step. But however much personally aggrieved, Adams was cool as a diplomat. His first step was to write a brief note to Palmerston enquiring whether he was to consider the letter as addressed to him " officially . . . or purely as a private expression of sentiment between gentlemen."[2]

There is no evidence that Palmerston and Russell were contemplating a change of policy—rather the reverse. But it does appear that Palmerston wished to be able to state in Parliament that he had taken Adams to task for Butler's order, so that he might meet an enquiry already placed on the question paper as to the Ministry's intentions in the matter. This question was due for the sitting of June 13, and on that day Russell wrote to Palmerston that he should call Butler's order " brutal " and that Palmerston might use the term " infamous " if preferred, adding, " I do not see why we should not represent in a friendly way that the usages of war do not sanction such conduct."[3] This was very different from the tone used by Palmerston. His letter was certainly no " friendly way." Again on the same day Russell wrote to Palmerston :

[1] *Ibid.*, pp. 248-9.
[2] *Ibid.*, p. 251.
[3] Palmerston MS.

"Adams has been here in a dreadful state about the letter you have written him about Butler.

I declined to give him any opinion and asked him to do nothing more till I had seen or written to you.

What you say of Butler is true enough, tho' he denies your interpretation of the order.

But it is not clear that the President approves of the order, and I think if you could add something to the effect that you respect the Government of President Lincoln, and do not wish to impute to them the fault of Butler it might soothe him.

If you could withdraw the letter altogether it would be the best. But this you may not like to do."[1]

It is apparent that Russell did not approve of Palmerston's move against Adams nor of any "vigorous" language in Parliament, and as to the last, he had his way, for the Government, while disapproving Butler's order, was decidedly mild in comment. As to the letter, Adams, the suspicion proving unfounded that an immediate change of policy was intended, returned to the attack as a matter of personal prestige. It was not until June 15 that Palmerston replied to Adams and then in far different language seeking to smooth the Minister's ruffled feathers, yet making no apology and not answering Adams' question. Adams promptly responded with vigour, June 16, again asking his question as to the letter being official or personal, and characterizing Palmerston's previous assertions as "offensive imputations." He also again approached Russell, who stated that he too had written to Palmerston about his letter, but had received no reply, and he acknowledged that Palmerston's proceeding was "altogether irregular."[2] In the end Palmerston was brought, June 19, to write a long and somewhat rambling reply to Adams, in effect still evading the question put him, though acknowledging that

[1] *Ibid.*

[2] Adams, *C. F. Adams*, pp. 252-55.

the "Secretary of State for Foreign Affairs is the regular official organ for communications. . . ." In conclusion he expressed gratification that reports from Lord Lyons showed Butler's authority at New Orleans had been curtailed by Lincoln. The next day Adams answered interpreting Palmerston as withdrawing his "imputations" but stating plainly that he would not again submit "to entertain any similar correspondence."[1]

Adams had been cautious in pushing for an answer until he knew there was to be no change in British policy. Indeed Palmerston's whole move may even have been intended to ease the pressure for a change in that policy. On the very day of Adams' first talk with Russell, friends of the South thought the *Times* editorial indicated "that some movement is to be made at last, and I doubt not we are to thank the Emperor for it."[2] But on this day also Russell was advising Palmerston to state in Parliament that "We have not received at present any proposal from France to offer mediation and no intention at present exists to offer it on our part."[3] This was the exact language used by Palmerston in reply to Hopwood.[4] Mason again saw his hopes dwindling, but was assured by Lindsay that all was not yet lost, and that he would "still hold his motion under consideration."[5] Lindsay, according to his own account, had talked very large in a letter to Russell, but knew privately, and so informed Mason, that the Commons would not vote for his motion if opposed by the Government, and so intended to postpone it.[6] The proposed motion

[1] *Ibid.*, pp. 256-60.

[2] Mason Papers. Mason to Slidell, June 13, 1862.

[3] Palmerston MS.

[4] Hansard, 3rd. Ser., CLXVII, p. 543. June 13, 1862.

[5] Mason Papers. Mason to Slidell, June 14, 1862.

[6] *Ibid.* Lindsay to Mason, June 18, 1862. Lindsay wrote:
"Lord Russell sent to me last night to get the words of my motion. I have sent them to him to-night, and I have embraced the opportunity of opening my mind to his Lordship. I have told him that I have postponed my motion in courtesy to him—that the sympathy of nine-tenths

was now one for recognition instead of mediation, a temporary change of plan due to Palmerston's answer to Hopwood on June 13. But whatever the terms of the motion favourable to the South, it was evident the Government did not wish discussion at the moment, and hesitancy came over pro-Southern friends. Slidell, in despair, declared that for his part he intended, no matter with what prospect of success, to *demand* recognition from France.[1] This alarmed Mason's English advisers, and he wrote at once strongly urging against such a step, for if the demand were presented and refused there would be no recourse but to depart for home.[2] He thought Lindsay's motion dying away for on consultation with "different parties, including Disraeli, Seymour Fitzgerald and Roebuck," it "has been so far reduced and diluted . . . as to make it only expressive of the opinion of the House that the present posture of affairs in America made the question of the recognition of the Confederate States worth the serious consideration of the Government. It was so modified to prevent the Ministry making an issue upon it. . . ." There was "no assurance that it would be sustained . . . even in that form." Lindsay had deter-

of the members of the House was in favour of immediate recognition, and that even if the Government was not prepared to accept my motion, a majority of votes might have been obtained in its favour—that a majority of votes *would* be obtained within the next fortnight, and I expressed the most earnest hope that the Government would move (as the country, and France, are most anxious for them to do so) and thus prevent the necessity of any private member undertaking a duty which belonged to the Executive.

"I further told his Lordship that recognition was a *right* which no one would deny us the form of exercising, that the fear of war if we exercised it was a delusion. That the majority of the leading men in the Northern States would thank us for exercising it, and that even Seward himself might be glad to see it exercised so as to give him an excuse for getting out of the terrible war into which he had dragged his people. I further said, that if the question is settled *without* our recognition of the South, he might *rest certain* that the Northern Armies *would* be marched into Canada. I hope my note may produce the desired results, and thus get the Government to take the matter in hand, for *sub rosa*, I saw that the House was not *yet* prepared to vote, and the question is far too grave to waste time upon it in idle talk, even if talk, without action, did no harm."

[1] *Ibid.* Slidell to Mason, June 17, 1862.

[2] *Ibid* Mason to Slidell, June 19, 1862.

mined to postpone his motion " for a fortnight, so that all expectation from this quarter for the present is dished, and we must wait for ' King Cotton ' to turn the screw still further."[1] On June, 20 Lindsay gave this notice of postponement, and no parliamentary comment was made.[2] It was a moment of extreme depression for the Confederate agents in Europe. Slidell, yielding to Mason's pleas, gave up his idea of demanding recognition and wrote :

> " The position of our representatives in Europe is painful and almost humiliating ; it might be tolerated if they could be consoled by the reflection that their presence was in any way advantageous to their cause but I am disposed to believe that we would have done better to withdraw after our first interview with Russell and Thouvenel." [3]

[1] *Ibid.*
[2] Hansard, 3rd. Ser., CLXVII, p. 810.
[3] Mason Papers. Slidell to Mason, June 21, 1862.

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